

PREA Facility Audit Report: Final

Name of Facility: Harnett Correctional Institution

Facility Type: Prison / Jail

Date Interim Report Submitted: 02/08/2022

Date Final Report Submitted: 09/06/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: J. Aaron Keech	Date of Signature: 09/06/2022

AUDITOR INFORMATION	
Auditor name:	Keech, Aaron
Email:	akeech37@gmail.com
Start Date of On-Site Audit:	12/13/2021
End Date of On-Site Audit:	12/16/2021

FACILITY INFORMATION	
Facility name:	Harnett Correctional Institution
Facility physical address:	1210 E McNeill Street, Lillington, North Carolina - 27546
Facility mailing address:	P.O. Box 1569, Lillington, North Carolina - 27546

Primary Contact	
Name:	John Godfrey
Email Address:	john.godfrey@ncdps.gov
Telephone Number:	910-984-8891

Warden/Jail Administrator/Sheriff/Director	
Name:	John Godfrey
Email Address:	john.godfrey@ncdps.gov
Telephone Number:	910-984-8414

Facility PREA Compliance Manager	
Name:	Ramon Gutierrez
Email Address:	ramon.gutierrez@ncdps.gov
Telephone Number:	

Facility Characteristics	
Designed facility capacity:	988
Current population of facility:	595
Average daily population for the past 12 months:	700
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	21+
Facility security levels/inmate custody levels:	Medium
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	225
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	6
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	North Carolina Department of Public Safety
Governing authority or parent agency (if applicable):	
Physical Address:	512 North Salisbury Street, Raleigh, North Carolina - 27604
Mailing Address:	
Telephone number:	9197332126

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

Agency-Wide PREA Coordinator Information

Name:	Charlotte Jordan-Williams	Email Address:	charlotte.williams@ncdps.gov
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SUMMARY OF AUDIT FINDINGS

The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

Number of standards exceeded:

0

Number of standards met:

45

Number of standards not met:

0

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2021-12-13
2. End date of the onsite portion of the audit:	2021-12-16

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	The community based organizations the auditor communicated with or attempted were the local rape crisis center, SAFE of Harnett County, Just Detention International and the North Carolina Coalition Against Sexual Assault.

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	988
15. Average daily population for the past 12 months:	675
16. Number of inmate/resident/detainee housing units:	30
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	597
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	179
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	7
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	40

41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	5
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	61
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	4
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	3
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	1
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	8
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	1
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	No text provided.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	184
50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	0
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	6
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	Over the past twelve months, the facility reports zero volunteers that had contact with inmates due to the Covid-19 pandemic.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	23
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	The auditor collaborated with the Associate Warden, Captain, and the PREA Compliance Manager to ensure there was a diverse selection of staff to interview. The facility provided an inmate roster sorted by name, age, race, length of time in the facility, and housing assignment.
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	16
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	2
61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	1

<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The auditor collaborated with the Associate Warden, Captain, and the PREA Compliance Manager to ensure there was a diverse selection of staff to interview.</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The auditor collaborated with the Associate Warden, Captain, and the PREA Compliance Manager to ensure there was a diverse selection of staff to interview.</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>2</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>4</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>3</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>1</p>

68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:	2
69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	There were zero inmates placed in segregated housing who were identified at risk for sexual victimization or suffered sexual abuse. The auditor interviewed one inmate who was in segregated housing but not due to being a risk or suffered sexual abuse or harassment.
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.

Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	23
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	While the auditor was on site, thirteen random staff interviews were conducted and during the corrective action period an additional ten random staff were interviewed to verify staff remedial training as noted with standards requiring corrective action.

Specialized Staff, Volunteers, and Contractor Interviews

Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.

75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	45
76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

<p>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agency contract administrator <input checked="" type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment <input type="checkbox"/> Line staff who supervise youthful inmates (if applicable) <input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable) <input checked="" type="checkbox"/> Medical staff <input checked="" type="checkbox"/> Mental health staff <input checked="" type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches <input checked="" type="checkbox"/> Administrative (human resources) staff <input checked="" type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff <input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations <input type="checkbox"/> Investigative staff responsible for conducting criminal investigations <input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness <input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation <input checked="" type="checkbox"/> Staff on the sexual abuse incident review team <input checked="" type="checkbox"/> Designated staff member charged with monitoring retaliation <input checked="" type="checkbox"/> First responders, both security and non-security staff <input checked="" type="checkbox"/> Intake staff <input checked="" type="checkbox"/> Other
<p>If "Other," provide additional specialized staff roles interviewed:</p>	<p>one Maintenance staff</p>
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>a. Enter the total number of VOLUNTEERS who were interviewed:</p>	<p>2</p>

<p>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Mental health/counseling</p> <p><input checked="" type="checkbox"/> Religious</p> <p><input type="checkbox"/> Other</p>
<p>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>a. Enter the total number of CONTRACTORS who were interviewed:</p>	<p>2</p>
<p>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Security/detention</p> <p><input type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input checked="" type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input type="checkbox"/> Other</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</p>	<p>No text provided.</p>

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

<p>84. Did you have access to all areas of the facility?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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Was the site review an active, inquiring process that included the following:

<p>85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	<p>During the tour, inmates were observed to be under constant supervision of the staff while involved in various activities. The auditor also reviewed the facility schematics, location of cameras and security mirrors and searches being conducted. Offenders were able to shower, dress and use the toilet facilities without exposing themselves to employees of the opposite gender.</p> <p>Informal and formal conversations with employees and offenders were conducted. Notification of the PREA audit was posted in all locations throughout the facility as well as postings informing inmates of the telephone numbers to call and report sexual abuse and sexual harassment and to call the victim advocate for emotional support services. During the tour, it was observed that all shower and bathroom areas allowed for privacy.</p>

Documentation Sampling

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

90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	<p>The auditor reviewed the "Daily Narrative" forms containing PREA related documentation (unannounced rounds, PREA related discussions held at shift briefings & cross gender announcements)</p> <p>The Human Resources database system was reviewed to verify compliance with standard 115.17. The agency OPUS information system was used to review classification, housing and work assignments as written in the screening standards.</p>
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SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	18	X	X	X
Staff-on-inmate sexual abuse	X	X	X	X
Total	18	X	18	X

You indicated that you are unable to provide information for one or more of the fields above. Explain why this information could not be provided.

Agency provided the overall number of inmate sexual abuse during the past 12 months.

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

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

You indicated that you are unable to provide information for one or more of the fields above. Explain why this information could not be provided.

Agency and facility provided the overall number of inmate sexual abuse during the past 12 months.

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

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

You indicated that you are unable to provide information for one or more of the fields above. Explain why this information could not be provided.

Agency and facility provided the overall number of inmate sexual abuse during the past 12 months.

Sexual Harassment Investigation Outcomes

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

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

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

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

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

You indicated that you are unable to provide information for one or more of the fields above. Explain why this information could not be provided.

Agency and facility provided the overall number of inmate sexual abuse during the past 12 months.

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

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

6

99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?

- Yes
- No
- NA (NA if you were unable to review any sexual abuse investigation files)

Inmate-on-inmate sexual abuse investigation files	
100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	5
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
Staff-on-inmate sexual abuse investigation files	
103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	2
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	9
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
Inmate-on-inmate sexual harassment investigation files	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	2

<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p> <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files) </p>
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<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p> <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files) </p>
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Staff-on-inmate sexual harassment investigation files

<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>7</p>
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<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p> <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files) </p>
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<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p> <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files) </p>
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<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>No text provided.</p>
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

<p>115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
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Non-certified Support Staff

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
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AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?	<p><input type="radio"/> The audited facility or its parent agency</p> <p><input type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)</p> <p><input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm)</p> <p><input type="radio"/> Other</p>
Identify the name of the third-party auditing entity	DX Consulting

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>This auditor reviewed the North Carolina DPS-Prisons policy that addresses the department's support of the Prison Rape Elimination Act. The Harnett Correctional Institution, as well as all other North Carolina DPS-Prison facilities, utilize agency Policy F .3400 (Offender Sexual Abuse and Sexual Harassment, dated 8/12/2019) mandating zero tolerance towards all forms of sexual abuse and sexual harassment that applies to staff, contractors, and volunteers. Policy F. 3400 also included definitions, provided training requirements of staff and described conduct of investigations involving PREA allegations.</p> <p>Policy F .3400, as well as Harnett Correctional Institution Standard Operating Procedure Chapter D .4900 (PREA, dated 6/30/21) clearly outlines the agency and facility's approach to preventing, detecting, and responding to sexual abuse and sexual harassment. NCDPS-Prisons Policy F .3400 (Offender Sexual Abuse and Sexual Harassment, dated 8/12/2019), NCDPS-Prisons Policy F.1600 (Management of Security Posts, dated 8/12/2019), NCDPS PREA Prevention Planning Policy, DPS-PREA-100, and NC General Statute 14-27.7 (Intercourse and sexual offenses with certain victims; consent no defense) describe that fraternization or sexual misconduct between staff, contractors, volunteers, and offenders. Each described the prohibited behaviors and sanctions if such behavior was discovered. NCDPS's commitment of ensuring zero tolerance for sexual misconduct in all its institutions was observed during the onsite visit. This commitment was clearly observed by the posters, flyers, and reporting systems in place for staff and inmates. Staff receive information regarding PREA during their initial academy as well as on-going training of staff during their annual in-service training.</p> <p>The NCDPS-Prisons, agency-wide PREA Director (Coordinator) reports directly to the Professional Standards, Policy & Planning Chief Deputy Secretary, who in turn reports directly to the Secretary. This position works with sixty-nine (69) NCDPS facilities throughout the state implementing and guiding the agency's efforts toward PREA compliance. A written summary of an interview conducted by certified auditor earlier in the audit cycle was reviewed. The summary review allowed this auditor to verify that the PREA Director has enough time to ensure PREA standards are met and that all related concerns are addressed.</p> <p>Each NCDPS facility has its own PREA Compliance Manager (PCM) that reports to the Associate Warden of Custody and Operations. The Warden at the Harnett Correctional Institution appointed the current PCM and back-up PCM on 2/15/21. Two weeks prior to the on-site review, the PCM named in the memorandum was recently promoted to Warden at another NCDPS institution. The current PCM is Captain in rank and was the previous PCM for two years of Harnett CI. The PCM back up alternative remains the same and eager to assist with fulfilling her duties related to facility PREA implementation. The PREA Compliance Manager at the Harnett Correctional Institution addresses all PREA concerns that occur throughout the facility. He reported that he has sufficient time and authority to coordinate efforts to comply with PREA standards.</p> <p>There is a definite commitment to the sexual safety and security of the staff and inmates at the facility. Based on interviews, documentation provided and observation of operations at the Harnett Correctional Institution, this auditor believes the facility meets this standard.</p> <p>Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul style="list-style-type: none"> • NCDPS-Prisons Policy F.3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/2019) • NCDPS-Prisons Policy F.1600 (Management of Security Posts, dated 8/12/2019) • NC General Statute 14-27.7 (Intercourse and sexual offenses with certain victims; consent no defense) • Harnett Correctional Institution Standard Operating Procedure Ch. D .5900 (PREA, dated 6/30/21) • Harnett Correctional Institution Pre-Audit Questionnaire (Prisons and Jails) • NCDPS PREA Prevention Planning Policy, DPS-PREA-100 • Harnett CI PREA Compliance Manager Warden Designation Memorandum (dated 2/15/21) • NCDPS-Prisons Organization Chart (dated 11/1/21) • Harnett CI Organization Chart (dated 10/11/21) • Facility PCM and Alternate PCM Training Certificates • NCDPS website • PREA Coordinator interview • Harnett CI PREA Compliance Manager and Alternate Interviews • PREA Standards Compliance Checklist • Harnett CI Facility Tour

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 451 237">Auditor Discussion</p> <p data-bbox="244 271 1485 562">The standard is Not Applicable to the Harnett Correctional Institution specifically as HCI does not contract for the housing of its' inmates. However, the NCDPS-Prisons does maintain one contract with the Center for Community Transitions for female inmates in need of treatment for access to substance abuse programming. The initial contract was effective July 2017. A review of the MOU contained the contractor's obligation to adopt and comply with the DOJ PREA Standards as well as ensuring that a PREA Audit is conducted by a certified DOJ PREA auditor. The agreement also required the Center for Community Transitions provide a copy of the final PREA report. The interview with the PREA Director (Coordinator) confirmed the NCDPS-Prisons has entered into the MOU with the Center for Community Transitions as well as confirming that the contract is monitored by NCDPS-Prisons to ensure the Center for Community Transitions complies with the PREA standards.</p> <p data-bbox="244 595 1485 719">The Harnett CI Correctional Warden submitted a memorandum of clarification certified the facility has not entered into or renewed a contract for the confinement of inmates on or after August 20, 2012, or since the last audit in 2018. Based on interviews, documentation provided and observation of operations at the Harnett Correctional Institution, this auditor believes the facility meets this standard.</p> <p data-bbox="244 752 1050 779">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 831 1485 1059" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Offender Sexual Abuse and Sexual Harassment dated 8/12/2019) • NCDPS-Prisons Memorandum of Agreement with Center for Community Transitions • Memorandum of clarification dated 5/21/21 from PREA Director regarding 115.12 (b) contracting with other entities for confinement of inmates • PREA Director/PREA Coordinator Interview • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire

115.13	Supervision and monitoring
	<p data-bbox="240 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1485 398">Review of the North Carolina State Statute 143B-709, NCDPS-Prisons Policy F .1600 (Management of Security Posts, dated 8/12/2019), and Harnett CI Standard Operating Procedure Chapter D.2100 (Management of Security Posts, effective date 10/16/20) all contained information requiring each facility to develop a staffing plans that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse.</p> <p data-bbox="240 427 1485 591">While state statute requires a staffing analysis every 3 years, the agency policy requires an annual review of the staffing plan, including a review of all required components of the standard, which was completed in December 2021. Interviews with the Warden and other Intermediates-Higher Level Staff all stated that decisions are made with safety and security as the primary focus when reviewing the staffing plan. Camera placements are strategic and located throughout the facility and are part of the video monitoring system that are monitored by assigned staff throughout the facility.</p> <p data-bbox="240 620 1469 680">Harnett Correctional Institution has post orders, relief and non-relief posts that are always manned at the specified times by an individual with appropriate level of training, experience, and authority to effectively carry out the functions of the post.</p> <p data-bbox="240 687 1469 848">Post orders provide what the employee will be doing and a schedule for that specific post. Facility management includes Warden, Associate Wardens for Operations and Associate Warden for Programs position, Sergeants, Correctional Officers II, Program Staff, Administrative, and Food Service staff. There are currently 131 vacancies. The facility is experiencing a greater than 52 percent staffing shortage, however, the Associate Warden for Custody stated that the facility has not had an exigent circumstance beyond the pull post requirements.</p> <p data-bbox="240 878 1485 1005">Deviations from the staffing plan are documented on the Daily Shift Narrative Report by the Officer in Charge. Unannounced rounds are clearly documented on the Daily Shift Narrative Report. These are conducted daily by the Officer in Charge (Lieutenant or Captain) and documentation includes the date/time and location of the physical rounds. The Warden and or Associate Warden conducts and documents unannounced round to identify and deter sexual abuse and harassment.</p> <p data-bbox="240 1012 1469 1072">Interviews with higher level facility staff confirmed unannounced rounds throughout all areas of the facility each week. This auditor's review of logs confirmed unannounced rounds were being made by higher level supervisory staff on all shifts.</p> <p data-bbox="240 1102 1453 1162">After thorough review of policies, SOPs, other supporting documents, interviews conducted, and observations this auditor determines the agency and the facility has met the requirements of this standard based on the above information.</p> <p data-bbox="240 1191 1050 1220">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1272 1299 1771" style="list-style-type: none"> • North Carolina General Statute 143B-709 Security Staffing • NCDPS-Prisons Policy F .1600 (Management of Security Posts, dated 8/12/2019) • Harnett CI Standard Operating Procedure D .2100 (Management of Security Posts, dated 9/1/2021) • NCDPS PREA Prevention Planning Policy, DPS-PREA-100 • Harnett CI Post Charts • Harnett CI Random Round Logs • Harnett CI Staff Plan Analysis PREA Review, dated 12/14/21 • Interview with Warden • Interview with PREA Director (Coordinator) • Interviews with PREA Compliance Manager-Level Facility Staff • Interview with Intermediate or Higher • Daily Shift Narratives covering multiple shifts • Staff Positions Spreadsheet • PREA Standards Compliance Checklist • Harnett CI Facility Tour

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1485 465">The review of NCDPS-Prisons Policy F .3400 (Offender Sexual Abuse and Sexual harassment Policy, dated 8/12/19) and clearly requires that a youthful offender should not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through the use of a shared dayroom or other common space, shower area, or sleeping quarters. Policy also requires that the facility maintain sight and sound separation between youthful offenders and adult offenders or provide direct staff supervision when youthful offenders and adult offenders have sight, sound, or physical contact.</p> <p data-bbox="242 495 1477 689">While youthful offenders are not assigned to the Harnett CI, the agency does provide specialized housing for youthful offenders at other NCDPS-Prisons facilities. While assigned at these other facilities, best efforts are made to avoid placing youthful offenders in isolation. Absent exigent circumstances, agencies shall not deny youthful offenders daily large-muscle exercise and any legally required special education services. Youthful offenders also have access to other programs and work opportunities to the extent possible. Specialized housing arrangements for youthful offenders are provided throughout the agency to meet the requirements of this standard.</p> <p data-bbox="242 719 1481 846">The Harnett Correctional Institution does not house youthful offender inmates. Inmates housed at Harnett CI are over 22 years old. Interviews with the Warden, Intake staff and the PREA Compliance Manager confirmed there are no youthful offenders housed at Harnett CI. Facility inmate rosters also confirmed there are no inmates under the age of 22 assigned to Harnett CI.</p> <p data-bbox="242 875 1490 1070">The Harnett CI Correctional Warden submitted a memorandum of clarification dated 11/10/21 certifying HCI does not house youthful offenders and has not housed youthful offenders in the last twelve months. During the site review the PCM provided the auditor with an inmate security search results screen printout from the agency OPUS system indicating no inmates housed at HCI ranging from ages seventeen- to twenty-one-year-old. After thorough review of policies, SOPs, other supporting documents, interviews conducted, and observations this auditor determines the agency, and the facility has met the requirements of this standard based on the above information.</p> <p data-bbox="242 1099 1050 1126">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1178 1461 1442" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Offender Sexual Abuse and Sexual Harassment Policy, dated 8/12/2019) • Harnett CI Standard Operating Procedure Chapter 2 .5900, (Offender Sexual Abuse and Sexual Harassment, dated 6/30/2021) • Memorandum of clarification from HCI Correctional Warden dated 11/10/21 regarding housing of youthful offenders • PREA Standards Compliance Checklist • Harnett Facility Inmate Roster and OPUS printout of inmate's date of birth • Harnett CI Facility Tour • Interviews with Warden, Intake staff, and PREA Compliance Manager

115.15

Limits to cross-gender viewing and searches

Auditor Overall Determination: Meets Standard

Auditor Discussion

Review of the NCDPS-Prisons Policy F .0400 (Operational Searches, dated 10/4/2021) details the requirements of searches in facilities. NCDPS-Prisons Policy F .1600 (Management of Security Posts, dated 8/12/2019), and Harnett CI Standard Operating Procedure Chapter 2, .2100 (Management of Security Posts, dated 9/1/21) prohibits any cross-gender strip search or visual body cavity searches by staff of the opposite gender. Harnett CI Standard Operating Procedure Chapter 2 .0400, (Operation Searches, dated 10/4/2021) clearly defines complete searches (strip searches) and routine searches (pat or frisk searches). Either gender staff may perform routine searches (pat or frisk) on the male inmate population. Offenders are not allowed to be supervised by staff of the opposite gender while showering or in the toilet area unless appropriate privacy screening is provided to obscure the view of breasts, genitalia and buttocks.

Policy also requires offenders to cover themselves appropriately when not in the shower or not utilizing toilets and while in route to and from those areas. Inmate interviews confirmed that they have the ability to shower, perform bodily functions, and change their clothing without non-medical staff of the opposite gender viewing them. This was confirmed during the auditor's tour of the facility. The design of the shower and restroom facilities allowed for privacy. Shower curtains or partial door coverings allowed for privacy but also allowed for security to be maintained. The inmate rulebook also requires inmates to be clothed while going to and from the shower and restroom areas. Facility procedures also prevent female staff from conducting strip searches, unless exigent circumstances require, at which point, the cross-gender strip search should be documented. The PREA Compliance Manager indicated the facility has had no cross-gender searches (pat, strip or visual body cavity) conducted over the past twelve (12) months. There were also no exigent circumstances of cross gender searches (pat, strip, or visual body cavity) conducted over the past twelve (12) months. During the site review the PCM provided the auditor with an inmate management system OPUS incident search with results indicating zero body cavity searches were conducted over the past twelve months. The facility does not house female offenders which the Warden certified by submitting a memorandum of clarification.

In 2013, the NCDPS-Prisons PREA Administrator sent an email as part of its "Campaign of Awareness" regarding the development of a cross-gender bulletin board document and announcement that is to be shared with staff as well as a bulletin board poster.

Review of the training curriculum indicated compliance with policy and the standard. The training instructor provided curriculum that indicated pat searches, cross-gender pat searches, searches of transgender and intersex inmates are conducted in a respectful, professional manner and prohibits cross-gender strip searches as well as cross-gender visual body cavity searches of any inmate. Curriculum also explains that a transgender or intersex inmate should not be searched or physically examined for the sole purpose of determining the inmate's genital status. 100% of all security staff received training on conducting cross-gender searches and searches of transgender and intersex inmates in a professional and respectful manner consistent with security needs. NCDPS, Division of Adult Corrections and Juvenile Justice, Office of Staff Development and Training, Safe Search Practices training lesson plan was provided by the facility PCM along with staff training summary acknowledging staff attended, participated, and understand the training.

Staff interviews revealed that some staff did not fully understand the circumstances that require staff of the opposite gender to announce their presence. Opposite gender announcements at the beginning of shift by female staff were observed by the auditor but there were inconsistencies of announcements being made when female staff were entering the dorm areas at other times throughout their shifts. Opposite gender announcements are documented in the daily activity log. Any other opposite gender employee must announce when entering a housing area and document the shift log. A clarification memo was distributed to all staff clarifying the opposite gender announcements. Inmate interviews also revealed the announcements were not consistently made when female staff entered the dorm areas of the housing units. Improvement was noted during re-visits to areas as female staff were also making announcements when entering the dorm areas of the housing units. Staff also document when female staff members enter the dorm area on the narrative log on the housing unit.

Staff were all able to articulate the search procedures and situations that would be considered exigent circumstances as well as the required authorizations and the required documentation to be completed. Staff were also aware that the Search SOP (Chapter 2 .0400 Operational Searches) did not allow complete searches of transgender or intersex inmates to solely determine the genital status of the inmate. Staff shared that they would conduct pat searches of a transgender or intersex inmate in a private area if the individual inmate requested.

After reviewing agency policy and facility SOP, training curriculum, visually observing the shower and bathroom areas of the facility, observation of staff, interviewing staff and inmates, this auditor finds this standard in compliance.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .0400 (Operational Searches, dated 10/4/2021)
- NCDPS-Prisons Policy F .1600 (Management of Security Posts, dated 8/12/2019)
- Harnett CI Standard Operating Procedure Chapter 2 .0400, (Operational Searches, dated 10/4/2021)
- Harnett CI Standard Operating Procedure Chapter 2 .2100, (Management of Security Posts, dated 9/1/2021)
- Memorandum of Clarification from Warden regarding female offender pat down searches dated 11/10/21
- Memorandum of Clarification from PREA Director regarding PREA Cross Gender Announcements dated 5/25/21
- OPUS inmate management system OPUS search result printout
- Cross Gender Announcement
- Random daily activity and shift logs
- PREA Standards Compliance Checklist
- Pre-Audit review questions regarding cross gender searches
- NCDPS, Division of Adult Corrections and Juvenile Justice, Office of Staff Development and Training, Safe Search Practices training lesson plan dated 7/1/19
- Staff Training Progress Summary for Safe Search Practices 2021
- PREA Compliance Manager interview
- Random staff interviews
- Random inmate interviews

115.16 Inmates with disabilities and inmates who are limited English proficient

Auditor Overall Determination: Meets Standard

Auditor Discussion

Review of the NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), NCDPS-Prisons Policy P .0400 (Non-English Speaking Inmate Program dated 2/05/18), NCDPS-Prisons Policy E .2600 (Reasonable Accommodations for Inmate with Disabilities dated 3/31/21), Harnett CI Standard Operating Procedure Chapter 2 .5900, (Offender Sexual Abuse and Sexual Harassment, dated 6/30/2021) provided information and guidance to ensure that offenders with disabilities, such as those who are deaf or hard of hearing, those who are blind or have low vision or those who have intellectual, psychiatric or speech disabilities have an equal opportunity to participate in and benefit from all of the protections of PREA. Health Services Policy & Procedure Manual, Policy # TX VII-1 (Developmental Disabilities, and Health Services Policy & Procedure Manual, Policy # TX VII-2 (Physical, Mental or Cognitive Disabilities) explains how specialized case management services are available for offenders that are identified as developmentally disabled, physically disabled, or mentally disabled. The specialized case management includes assisting in orientation to the unit policies and procedures, representation at disciplinary proceedings and additional evaluations, if necessary. Offenders with Limited English Proficiency are afforded the same opportunities. Offenders who are observed to have difficulty understanding or speaking English are screened by use of an approved screening instrument. For new admissions, the screening will occur in the diagnostic center. For offenders who have completed diagnostic processing, the screening will be conducted at the facility by program or educational staff.

Upon arrival at Harnett Correctional Institution, all offenders receive a handbook that contains the agency's zero tolerance policy toward sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuse and sexual harassment. The Inmate Handbook is available in Spanish and English. Offenders sign a form indicating they have received this initial information. This form also allows staff to document if the offender needs any extra assistance for comprehending the information. Policy prohibits the facility from relying on offender interpreters, offender readers or other forms of offender assistants except when a delay in interpreter services could compromise an offender's safety, the performance of first responder duties or the investigation of the allegations.

A current contract is in place offering language translation, interpretation and American Sign Language, Computer Aided Real-time Translation, Audio Video Localization, Assessment, Testing, and Training, and Consulting, Mentoring and Professional Development services that staff can utilize when services are necessary for an offender with disabilities or for those who are limited English proficient. The Omnia Partners provides on-site interpreting, telephonic interpreting, video remote interpreting as well as document translation. This auditor observed that PREA informational posters are visible throughout the facility in both English and Spanish.

Initial PREA Education is provided by intake staff in a manner that ensures the offender comprehends the material presented and it is read to the offender during the intake process. Policy requires that within three calendar days of arriving at the Harnett Correctional Institution, Intake staff provide all offenders comprehensive education through the viewing of the PREA Education video. The video is closed captioned, and if necessary, in Spanish. At the conclusion of the video, offenders can ask questions of staff regarding PREA and on the information they received. Education for offenders is offered by staff that has completed the PREA train the trainer offender education course. A PREA brochure provided to the offender population included information on suspicious behavior, reporting, prevention strategies, making false claims, definitions of forms of sexual misconduct and retaliation. As with other material, it is available in English and Spanish.

During the on-site visit, one (1) physically disabled (ADA standard) offenders, one (1) blind, deaf, or hard of hearing, two (2) limited English proficient offender and one (1) offenders with cognitive disabilities were identified, interviewed, and reported that they remembered being asked question regarding PREA when they came into the facility. Those inmates reported they understood information that staff presented and know reporting processes. Case management services are provided for any offender with any identified special needs. The PREA Compliance Manager reported there were no offender interpreters, assistance or readers that assisted another offender with reporting allegations of sexual abuse or sexual harassment.

Random staff interviews indicated awareness of the interpretation services as common practice has been to utilize Spanish speaking staff to interpret. Staff were aware they were not allowed to utilize offender interpreters, offender readers or other types of offender assistants except in limited circumstances. After reviewing agency policy, inmate PREA Education presentation, interviewing staff and offenders, this auditor finds this standard in compliance.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- NCDPS-Prisons Policy P .0400 (Non-English Speaking Offender Program dated 2/05/18)
- NCDPS-Prisons Policy E .2600 (Reasonable Accommodations for Inmate with Disabilities dated 3/31/21)
- Harnett CI Standard Operating Procedure Chapter 2 .5900, (Offender Sexual Abuse and Sexual Harassment, dated

6/30/2021)

- Health Services Policy & Procedure Manual, Policy # TX VII-1(Developmental Disabilities)
- Health Services Policy & Procedure Manual, Policy # TX VII-2 (Physical, Mental or Cognitive Disabilities)
- Statewide Term Contract 961C-Translation & Interpretation Services (Omnia Partners)
- NCDPS-Prisons Offender PREA Education Acknowledgement Form (Spanish and English versions)
- NCDPS-Prisons PREA Support Services form (English and Spanish)
- NCDPS- PREA Sexual Abuse and Awareness for the Inmates (English and Spanish)
- PREA Standards Compliance Checklist
- PREA Compliance Manager Interview
- Intake Staff Interview
- Psychological Program Manager Interview
- Random Staff Interview
- Facility tour

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

Review of the NCDPS-Prisons Policy F.3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) and the NCDPS PREA Prevention Planning Policy, DPS-PREA-100 prohibits the NCDPS-Prisons from hiring or promoting anyone who may have contact with offenders, and shall not enlist the services of any contractor who may have contact with offenders, who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution; Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged 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. Information on substantiated allegations of sexual abuse or sexual harassment involving a former NCDPS employee shall be furnished to any institutional employer the former employee has applied to work if the request was in writing. Harnett Correctional Institution performs criminal background records checks on any potential new employee and contractor as well as individuals seeking promotion. Background records checks are also conducted on all current employees and contractors every five (5) years. Material omissions or providing false information is grounds for termination. Staff are obligated to disclose any arrests or previous misconduct within 24-hours of the event.

Documentation received and reviewed prior to the onsite audit currently being utilized by NCDPS-Prisons does not require consideration of any incidents of sexual harassment when hiring or promoting employees or enlisting the services of any contractor. The NCDPS PREA Prevention Planning Policy, DPS-PREA-100 dated 10/11/21 requires the agency to consider any incidents of sexual harassment in determining to hire or promote anyone, or to enlist the services of any contractor. The NCDPS Applicant Verification Forms or NCDPS Employment Statement Forms were updated prior to the submission of this report.

NCDPS policy is required to perform criminal background records checks and consistent with any federal state or local laws, make best efforts to contact all prior institutional employers for any information on substantiated allegations of sexual abuse or any resignation during a pending allegation of sexual abuse. In the past twelve (12) months, the facility reported that sixty-two (62) individuals were hired who may have contact with offenders. In addition to employee applicants, six (6) criminal background checks were completed on contracted staff over the past twelve (12) months. These individuals all had criminal background checks completed. The criminal records checks completed search for criminal convictions, pending criminal charges and driving records on a federal, state and local level. The criminal background checks are not conducted onsite. They are sent to NCDPS Central Office for completion.

The facility Human Resources staff was detailed in her explanation of the process of conducting criminal background checks on all new hire employees and contractors as well as any staff member being considered for a promotion. The HR Technician provided the document utilized to track when current employees and contractors are due for the five (5) year re-check of criminal records. The process to initiate the five (5) year criminal records check was explained. A selection of forty-eight (48) random staff database files were reviewed to include criminal background checks, five year rechecks, applications and hiring forms that include the questions regarding any prior incidents of sexual misconduct. The forms reviewed were the NCDPS Applicant Verification Form, NCDPS Professional Reference Check Form and the NCDPS Employment Statement Forms.

After reviewing agency policy and procedures, a review of employee and contractor HR files, staff interviews, and the receipt of follow-up documentation, this auditor finds this standard in compliance.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- NCDPS PREA Prevention Planning Policy, DPS-PREA-100
- NCDPS Prison Rape Elimination Act Acknowledgement Form OPA-T10
- HR 004 NCDPS Criminal History Record Check Form
- HR 005 NCDPS Applicant Verification Form
- HR 008 NCDPS Professional Reference Check Form
- HR 013 NCDPS Employment Statements
- Harnett Correctional Institution Background Check Log
- Learning Management System Instructions
- NCDPS-Prisons Job Bulletin
- PREA Standards Compliance Checklist
- Human Resources Staff interviews
- Memorandum of clarification from PREA Director regarding registry background checks dated 9/10/21
- Human Resources staff list indicating criminal background checks employees and contractors dated 12/16/21 and 1/27/22

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1485 465">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) requires all designing and acquisition of new facilities and in planning substantial expansion or modification of existing facilities to consider the effect of the design, acquisition, expansion, or modification upon the facility's ability to protect inmates from harm, including sexual abuse. The policy also requires that any installing or updating of video monitoring systems, electronic surveillance systems, or other monitoring technology to be considered how such changes may enhance the facility's ability to protect inmates from harm, including sexual abuse.</p> <p data-bbox="240 495 1485 757">The PREA Compliance Manager explained that the facility had upgrades to the video monitoring system with the installation of new cameras in the last twelve (12) months for a total of 265 cameras. The addition of these cameras will contribute to the enhancement of the facility's ability to monitor locations throughout the facility that may have blind spots. The number of days video retention averages between 60 and 100 days depending on the one of three NVR storage systems. The addition of cameras also assists with monitoring of activity throughout the physical plant of the facility. While onsite, the video surveillance system was observed in the PCM's office, the Warden's office and the Master Control Center. Electronic surveillance is evaluated by the Incident Review Team to consider if camera placement will enhance the safety of the inmate population. The same considerations also given during the completion of the annual PREA report.</p> <p data-bbox="240 786 1485 981">The Harnett CI Correctional Warden submitted a memorandum of clarification regarding upgrades to facilities and technologies dated 11/10/21, certified the facility has recently installed a video monitoring system throughout the facility. The system is monitored by multiple personnel throughout the day and has enhanced the facility's ability to protect offenders from sexual abuse. Based on interviews, documentation provided and observation of operations at the Harnett Correctional Institution, this auditor believes the facility meets this standard. After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="240 1010 1050 1039">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1093 1461 1384" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • PREA Standards Compliance Checklist • Building Schematic/Diagrams • Memorandum of Clarification from HCI Correctional Warden regarding upgrades to facilities and technologies dated 11/10/21 • Harnett Correctional Institution Pre-Audit Questionnaire • Camera System Specifications Email • PCM Interview • Onsite facility tour

Auditor Overall Determination: Meets Standard

Auditor Discussion

North Carolina General Statute 143B-1200 (Assistance Program for Victims of Rape and sexual Offenses), NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter D .4900 (PREA, dated 6/7/21) requires administrative and/or criminal investigations be completed on all incidents of inmate-on-inmate sexual abuse or staff sexual misconduct. Investigations are to be conducted promptly, thoroughly, and objectively for all allegations. Evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings or criminal proceedings are utilized. Allegations of sexual abuse are referred for investigation to an agency with legal authority to conduct criminal investigations unless the allegation does not involve potential criminal behavior.

Individuals assigned to investigate allegations of sexual abuse or sexual harassment are required to attend PREA Training that all staff are required to participate in as well as specialized training in conducting sexual abuse investigations in confinement settings. NCDPS-Prisons facilities conduct only administrative investigations. A memorandum of understanding is in place with the Lillington Police Department and Harnett County Sheriff's Department and the Harnett Correctional Institution for completing all PREA investigations that are potential criminal cases.

The facility reports that they do not house youthful offenders. The facility reports in their PAQ that the evidence protocol was adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.

The above policies and facility report that all offenders who experience sexual abuse are provided access to forensic medical examinations by a Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) at no financial cost to the offender. The facility has an agreement with the Harnett Health, Central Harnett Hospital to conduct all forensic exams. An interview with Charge Nurse in the CHH Emergency Room Department indicated they are responsible for conducting all SANE exams from Harnett CI. Both the facility and the SAFE/SANE reported no forensic medical exams had been conducted over the last twelve (12) months on offenders from Harnett CI. Any evidence collected from a forensic exam is sent to the state's crime lab. Harnett Health, Central Harnett Hospital has a SANE all call after normal operating hours.

The facility will attempt to make a victim advocate from a rape crisis center available to the victim. A MOU is in place with SAFE of Harnett County dated 2/16/21. SAFE of Harnett County will provide confidential emotional support to offenders who are victims of sexual abuse and will accompany an offender during a forensic exam. Inmates are provided a pamphlet from the SAFE of Harnett County during their orientation. A telephonic interview was held with a representative from SAFE of Harnett County. She indicated there had been no calls from inmates alleging sexual abuse or harassment assigned to Harnett CI in the last twelve (12) months. The representative reported the center has received approximately six calls in the past three years with inmates requesting confidential support services.

The Harnett Correctional Institution SOP Chapter 2 .5900, section 4, Victim Support: Victim Support shall be offered by a PREA Support Person (PSP). The PSP shall: (A) Be made available to provide victim advocate services. (B) Offender victim of alleged sexual abuse by an employee, contractor, or volunteer, the PSP shall consult with the Warden on a weekly basis for three weeks following the report of sexual abuse to update the victim on the progress of the investigation, answer any questions of the offender victim and provide support. (C) As requested by the victim, the PREA support person, of the same gender, shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals. Harnett CI currently has designated five (5) staff. These staff were screened for appropriateness to serve as a victim advocate and received specialized training (PREA Support Person Training). Staff interviews and training records confirmed the responsibilities of the PSP at the Harnett CI.

The NCDPS Harnett Correctional Institution, Standard Operating Procedure, Chapter 5 Medical, 1500 Sexual Assault of Offenders, dated 5/24/21 requirements to include offering all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiary or medically appropriate.

Such examinations shall be performed by SAFEs or SANEs where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The agency shall document its efforts to provide SAFEs and SANEs."

After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- North Carolina General Statute 143B-1200 (Assistance Program for Victims of Rape and Sexual Offenses)

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- Harnett Correctional Institution SOP Chapter 2 .5900 (PREA, dated 6/30/2021)
- NCDPS-Prisons, Health Services Policy & Procedures, Policy # Cp-18 (Sexual Abuse, dated 2/2014)
- NCDPS Harnett Correctional Institution, Emergency Response Procedure, Support and Mutual Aid Agreement with Lillington Police Department, Harnett County Sheriff's Department dated 4/6/21
- NCDPS Harnett Correctional Institution, Standard Operating Procedure, Chapter 5 Medical, 1500 Sexual Assault of Offenders, dated 5/24/21
- Memorandum of Understanding: NCDPS PREA Victim Support Partnership with SAFE of Harnett County dated 2/16/21
- SAFE of Harnett County brochure, English, and Spanish Versions
- Memorandum of clarification from HCI Correctional Warden dated 11/10/21 regarding housing of youthful offenders
- PSP Staff Training Record
- Harnett Correctional Institution Pre-Audit Questionnaire
- PREA Standards Compliance Checklist
- Interviews with Random Sample of Staff
- Interview with SAFE/SANE from Harnett Health, Central Harnett Hospital
- Interview with PREA Compliance Manager
- Interview with Inmates who Reported Sexual Abuse
- Interview with staff from SAFE of Harnett County

115.22	Policies to ensure referrals of allegations for investigations
	<p data-bbox="240 145 740 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1490 898">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, Harnett Correctional Institution SOP Chapter 2 .4900 PREA all require that administrative and/or criminal investigations be completed on all incidents of inmate-on-inmate sexual abuse or staff sexual misconduct. Investigations are to be conducted promptly, thoroughly, and objectively for all allegations. Allegations of sexual abuse and sexual harassment are referred for investigation to an agency with legal authority to conduct criminal investigations unless the allegation does not involve potentially criminal behavior. The referrals are to be documented. When a verified incident of sexual abuse of an inmate by a staff member, contractor or volunteer and sexual abuse between inmates occurs, referrals are to be made to a local law enforcement agency for investigation and consideration for criminal prosecution. Individuals assigned to investigate allegations of sexual abuse or sexual harassment are required to attend PREA Training that all staff are required to participate in as well as specialized training in conducting sexual abuse investigations in confinement settings that includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in a confinement setting and criteria and evidence required to substantiate a case for administrative action or referral for prosecution. Allegations involving staff are also to be reported to the Office of Special Investigations. NCDPS facilities only conduct administrative investigations. A memorandum of understanding is in place with the Harnett County Sheriff's Department and the Harnett Correctional Institution for completing all PREA investigations that are potential criminal cases. The Sheriff's Department provides investigative services on a 24-hour basis for allegations of sexual abuse. Staff refers all allegations of sexual abuse and harassment to their Regional office and the NCDPS PREA Office. The appropriate information regarding the investigation is entered to their internal OPUS system. The PREA policy, Offender Sexual Abuse and Sexual Harassment Policy, is found on the NCDPS website.</p> <p data-bbox="240 931 1490 1155">Harnett CI reported eleven (11) allegations of sexual abuse and sexual harassment resulting in an administrative investigation in the past twelve (12) months. There was one (1) investigation that was opened within one week of the on-site visit and the status of the investigation is ongoing. The PCM assigned the incident to the facility investigator to begin the administrative investigation. There were zero (0) allegations of sexual abuse and sexual harassment resulting in criminal investigation in the past twelve (12) months. Eleven (11) of the eleven (11) administrative investigations have been completed and resulted in unfounded and unsubstantiated findings. The PCM tracks all of the sexual abuse and sexual harassment investigations at the facility.</p> <p data-bbox="240 1189 1490 1413">Interviews with the Warden, Assistant Warden, PCM, and Investigative staff confirmed that administrative or criminal investigations are completed for all allegations of sexual abuse or sexual harassment. Any internal investigation that identifies criminal activity or reveals that a staff member is involved is immediately referred to the Lillington Police Department and Harnett County Sheriff's Department. The facility investigator acts as a liaison with investigator from the Police Department and Sheriff's Office as well as keeping the Warden updated on the progress of the sexual abuse investigation. After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="240 1447 1050 1476">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1525 1453 1921" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21) • NCDPS Harnett Correctional Institution, Emergency Response Procedure, Support and Mutual Aid Agreement with Lillington Police Department, Harnett County Sheriff's Department dated 4/6/21 • Harnett Correctional Institution Pre-Audit Questionnaire • NCDPS Harnett CI Incident Investigation Reports • NCDPS Harnett CI Incident Investigation Reports Summary Report • PREA Standards Compliance Checklist • NCDPS-Prisons Website • Interview with Investigator • Interview with Warden, Assistant Warden • Interview with PCM

115.31	Employee training
	<p data-bbox="240 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 239">Auditor Discussion</p> <p data-bbox="240 271 1485 633">In accordance with the NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21), require that all new employees receive Sexual Abuse and Harassment 101 as well as annual refresher training. The training contains all ten required components of the standard which include: (1) The agency's zero tolerance policy for sexual abuse and sexual harassment, (2) How to prevent, detect, report and respond to allegations of sexual abuse and sexual harassment, (3) Offender's rights to be free from sexual abuse and sexual harassment, (4) The rights of offenders and employees to be free from retaliation for reporting sexual abuse and sexual harassment, (5) The dynamics of sexual abuse and sexual harassment in confinement, (6) The common reactions of sexual abuse and sexual harassment victims, (7) How to detect and respond to signs of threatened and actual sexual abuse, (8) How to avoid inappropriate relationships with offenders, (9) How to communicate effectively and professionally with offenders, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.</p> <p data-bbox="240 663 1485 824">All new employees are required to read the NCDPS Employee PREA brochure and sign the PREA Acknowledgement Form. The PREA Acknowledgement Forms are stored in each employee's personnel file in the Human Resources Office. By signing the form, staff acknowledge that they received the training and understand their responsibilities in reporting incidents of sexual abuse and sexual harassment. All employees are trained as new hires, regardless of their previous experience. Training is tailored to both genders, as well as juveniles/youthful offenders, so additional training is not necessary.</p> <p data-bbox="240 853 1485 1081">All staff receive Sexual Abuse and Harassment 101 refresher training every two years and receive Sexual Abuse and Harassment 201 refresher information during the alternate years of offender sexual abuse and sexual harassment issues emphasizing the zero-tolerance and duty to report, as well as covering current sexual abuse and sexual harassment policies and procedures. In addition, information is shared during shift line-ups and through PREA Bulletins. Training records indicate staff completed the required training during the last training year. Employee training records are electronically maintained. Each employee has their individual log on to the Learning Management System (LMS). LMS is the online system utilized by the NCDPS-Prisons.</p> <p data-bbox="240 1111 1485 1171">After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="240 1200 1050 1229">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1279 1477 1709" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21) • New Employee Orientation Manual (June 2020) • NCDPS PREA: Sexual Abuse and Sexual Harassment 101 & 102 Training Curriculums (w/ power point slides, lesson plans, answer key) (rev. 7/1/2021) • Learning Management Systems Instructions • Red Flag Poster • PREA Bulletin • Harnett Correctional Institution Pre-Audit Questionnaire • PREA Standards Compliance Checklist • Interviews with random staff • Interview with Training Facilitator • Interview with Human Resources

115.32	Volunteer and contractor training
	<p data-bbox="242 145 742 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 454 237">Auditor Discussion</p> <p data-bbox="242 271 1497 667">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/2021), and Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21), NCDPS-Prisons Policy F .0604 (Community Volunteer Program, dated 7/01/10) require that all volunteers and contractors who will have contact with offenders have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection and response. Volunteers and contractors will receive the Sexual Abuse and Harassment 101 training as part of initial orientation. The volunteer/contractor is required to verify their understanding of the training by signing the PREA Acknowledgement Form and returning the form to the facility. The facility reported in its PAQ that 6 contractors and volunteers have been trained in agency policies and procedures regarding sexual abuse and sexual harassment prevention, detection and response policies and procedures in the last 12 months. Interviews with volunteers/contractors indicated they had received training on their responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response.</p> <p data-bbox="242 696 1489 1025">The level and type of training provided to volunteers and contractors is based on the services they provide and the level of contact they have with the offenders. All volunteers and contractors who have contact with offenders are notified of the zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. Volunteers and contractors are required to completed the Sexual Abuse and Harassment 101 training and sign the PREA Acknowledgement Form upon completing the training. Volunteer and Contractor database record files were reviewed, and documentation existed acknowledging their requirement for confidentiality, their duty to report incidents of sexual abuse and sexual harassment as well as an understanding of their responsibilities under the agency policy regarding sexual abuse and sexual harassment prevention, detection, and response. Interviews with two (2) volunteers, two (2) contractors staff confirmed they completed the Sexual Abuse and harassment 101 training and their knowledge obtained about NCDPS zero tolerance and their duty to report sexual abuse and harassment.</p> <p data-bbox="242 1055 1481 1115">After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="242 1144 1050 1173">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1225 1489 1554" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21) • Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) • NCDPS-Prisons Policy F .0604 (Community Volunteer Program, dated 7/01/10) • NC DPS Prison Rape Elimination Act Acknowledgement Form OPA-T-10 • Training Records of Volunteers/Contractors • Criminal Background Checks for Volunteers/Contractors • Harnett Correctional Institution Pre-Audit Questionnaire • PREA Standards Compliance Checklist • Interview with Volunteers/Contractors

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett CI SOP Chapter D .4900 (PREA, dated 6/7/21), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) require that offenders receive information at the time of reception about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. The Harnett Correctional Institution Pre-Audit Questionnaire indicates that there were offenders all of which received education on PREA's zero-tolerance policy and reporting methods for sexual abuse and sexual harassment incidents. This auditor observed the PREA education provided upon reception. The Intake staff provided a PREA handout brochure to the offenders and verbally presented the information clearly and provided each offender the opportunity to ask questions and ensured that each person understood the information presented. The PREA brochure handed out was also available in a Spanish version. Of the 395 inmates admitted during past 12 months who were given this information at intake, 386 inmates received information at intake. The facility reported that nine (9) offenders were discharged or transferred prior to the time frame established in policy.

Policies also require within thirty (30) days offenders shall receive information on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents. Of the 288 offenders admitted during the past 12-months, 288 offenders received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake. An approved audio-visual presentation is the main orientation instrument supplemented by a verbal presentation by a designated, trained staff member. In addition, comprehensive education should be provided again to offenders upon their transfer to a different facility. Offenders are educated regarding their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policy and procedure for responding to such incidents, to the extent that the policies and procedures of the new facility differ from those of the previous facility. Appropriate provisions are made as necessary for offenders not fluent in English, persons with disabilities and those with low literacy levels. Upon completion of the comprehensive education, all inmates sign the External Reporting Acknowledgement Form as well as the Offender Acknowledgement Form acknowledging they attended PREA Orientation. The offender receives a copy of the Offender Acknowledgement Form while the original is maintained in the Inmate Records File.

Inmate files were reviewed and dates on the Offender Acknowledgement Forms were within the appropriate time frames in accordance with this standard. Several random inmates reported during their interviews that they did not or could not remember receiving information regarding PREA the day they arrived and again at a later date. Those inmates who reported not receiving the information at intake, those files were reviewed indicating they received the information. All offenders interviewed remembered the video presentation regarding PREA during their Orientation. While on-site, this auditor observed a PREA education during the reception process. PREA posters were highly visible in all areas of the facility and information was in the handbook offenders are all provided.

After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/2021)
- Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21)
- NCDPS Diagnostic Center Procedural Manual, (updated 12/4/2018)
- NCDPS Offender PREA Education Acknowledgement Form (dated 3/15/2013)
- NCDPS External Reporting Agency Acknowledgement Form (updated 2/9/2018)
- Inmate Brochure (English and Spanish, dated 2/04/2014)
- Education Upon Transfer Email (dated 8/2/2013)
- Ways to Report Poster
- Harnett CI Talking Points
- Inmate Handbook
- Inmate Records Files
- Observation of Intake Process while onsite
- Harnett Correctional Institution Pre-Audit Questionnaire
- PREA Standards Compliance Checklist
- Interview with Intake Staff
- Interview with Random Inmates

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1481 499">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) requires staff assigned as investigators to complete training on conducting sexual abuse and sexual harassment investigations in a confinement setting. This required training includes Techniques for interviewing sexual abuse victims; Proper use of Miranda and Garrity Warnings; Sexual abuse evidence collection in a confinement setting; and Criteria and evidence required to substantiate a case for administrative action or prosecution referral. When the staff investigators complete the specialized Investigator Training, it is documented in the staff training records in OPUS or Learning Center system.</p> <p data-bbox="240 528 1481 689">The NCDPS Specialized Investigations: Sexual Abuse and Harassment training curriculum is developed by the NCDPS PREA Office. All staff selected as PREA Investigators must complete this training prior to be assigned to conduct administrative investigations. There are currently five (5) staff currently assigned to the Harnett CI who have completed the NCDPS PREA Specialized Investigations: Sexual Abuse and Harassment training. Training records for the five (5) trained investigators was provided and verified completion of the required specialized training as well as annual PREA training.</p> <p data-bbox="240 696 1481 790">Interviews with investigators confirmed that the specialized investigator training included interviewing techniques on sexual abuse victims, information on proper usage of Miranda and Garrity warnings, evidence collection and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.</p> <p data-bbox="240 819 1481 981">In accordance with the NCDPS Sexual Abuse and Harassment Coordinated Response Overview and interviews with trained investigative staff, when a Sexual Abuse/Sexual Harassment investigation is assigned to them a preliminary administrative investigation is initiated. If at any point in the preliminary investigation the investigator feels a situation could be criminal, a referral is made to the Lillington Police Department or Harnett County Sheriff's Office for further investigation and determination of criminal charges.</p> <p data-bbox="240 1010 1481 1072">After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="240 1102 1050 1131">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1182 1485 1413" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 4/10/19) • NCDPS Specialized Investigations: Sexual Abuse and Harassment lesson plan • Harnett Correctional Institution Pre-Audit Questionnaire • PREA Standards Compliance Checklist • NCDPS OPUS information of staff specialized training • Interview with Harnett CI PREA Investigator

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 539">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) and Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) requires medical and mental health care practitioners to complete the mandated PREA training required for all NCDPS-Prisons staff or the mandated PREA training required for Volunteers, Contractors and Other Persons Providing Services to Offenders. In addition, all full and part-time medical and mental health care practitioners who work regularly in the facility are required to be trained in: Detecting and assessing signs of sexual abuse and sexual harassment; Preserving physical evidence of sexual abuse; Responding effectively and professionally to victims of sexual abuse and sexual harassment; and how to and whom to report allegations or suspicions of sexual abuse and sexual harassment.</p> <p data-bbox="229 539 1509 622">A review of the training records of medical and mental health staff indicated completion of PREA: Sexual Abuse and Sexual Harassment 101 & 201 as well as PREA Sexual Abuse and Sexual Harassment Medical & Mental Health Staff Response.</p> <p data-bbox="229 622 1509 757">The facility reported that there were currently ten (10) Medical staff and six (6) mental health staff who work regularly at the facility who received the training required by policy. A report generated by the training instructor confirmed training was completed by the medical and mental health staff. Medical and mental health staff sign the PREA Acknowledgement Form as well as the Cross Gender Announcement & Acknowledgement Form during their New Employee Orientation also.</p> <p data-bbox="229 757 1509 920">Interviews conducted with medical and mental health staff confirmed that they completed the required training. They shared that the training included information on detecting and assessing signs of sexual abuse and sexual harassment, preserving any physical evidence of sexual abuse, responding effectively and professionally to sexual abuse and harassment and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment to. The Medical staff at the Harnett CI does not conduct forensic exams.</p> <p data-bbox="229 920 1509 1010">After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="229 1010 1509 1070">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1099 1509 1323" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter D .4900 (PREA, dated 6/7/2021) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Training Completion Roster and Certificates • Interviews with Medical and Mental Health practitioners

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1497 562">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Health Services Policy and Procedures Manual, Policy TX-113, Evaluation & Management of Transgender Offenders, NCDPS Chapter F, Section .4300 Evaluation and Management of Transgender Offenders Policy and Procedure dated 3/31/21, Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) requires all offenders shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other offenders or sexually abusive toward other offenders. Based on the response, from the offender, a referral may be generated to mental health for any concerns. This screening shall be conducted using the web-based case management roster. The policies also require that Diagnostic Services staff shall conduct screening to determine an offender’s risk of being sexually abused by other offenders or their risk of being sexually abusive towards other offenders.</p> <p data-bbox="240 595 1497 887">The screening shall use an objective screening instrument that obtains the following minimum criteria to assess offenders for risk of sexual victimization: Whether the offender has a mental, physical, or developmental disability; The age of the offender; The physical build of the offender; Whether the offender has previously been incarcerated; Whether the offender’s criminal history is exclusively nonviolent; Whether the offender has prior convictions for sex offenses against an adult or child; Whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; Whether the offender has previously experienced sexual victimization; The offender’s own perception of vulnerability; and Whether the offender is detained solely for civil immigration purposes. Additionally, the screening tool considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse (as known to the agency) in assessing inmates for risk of being sexually abusive.</p> <p data-bbox="240 920 1497 1211">In April 2021, the agency revised the form to include a question considering if the Offender is detained solely for civil immigration purposes, and currently this is being considered during the initial interview. The agency developed a more detailed screening process to ensure staff can properly review the responses to ensure housing considerations. NCGS 148-6 states that persons imprisoned shall be sentenced by the several courts of this State. Immigration detainers are not issued by courts of this state and therefore, individuals being held solely for immigration purposes are not housed in the custody of NCDPS. All prisoners in the custody of NCDPS are held pursuant to a criminal judgement and are released at the expiration of their criminal sentence. NCDPS does not hold prisoners beyond their release date of their criminal sentence even if an immigration detainer has been issued by ICE requesting that the prisoner be held for 48 hours beyond his or her release date. NCDPS prisoners in the custody of NCDPS cannot be detained solely for civil immigration purposes.</p> <p data-bbox="240 1245 1497 1503">The policy also prohibits disciplining offenders for refusing to answer or for not disclosing complete information related to questions regarding whether the offender has a mental, physical, or developmental disability, whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming, whether the offender has previously experienced sexual victimization and the offender’s own perception of vulnerability during the screening or assessment process. Upon arrival to Harnett CI and within 72 hours, all offenders shall receive a mental health screening (MHSI), administered via the web based OPUS intake system, within 72 hours after admission to the facility. The Offender Population Unified System (OPUS) automatically calculates if the offender is considered high-risk for victimization and/or high-risk for abusiveness based on the responses from the screening inventory.</p> <p data-bbox="240 1536 1497 1760">There were 386 offenders that entered the facility either through intake or transfer within the past twelve (12) months who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility. Offender records were reviewed, and all indicated that the offenders’ intake screenings were completed within 72 hours of their arrival at Harnett CI. Offender interviews also confirmed they met with Harnett CI staff and were screened within 72 hours or less. Intake staff reported that if an offender’s intake screening is not done on their day of arrival, it is done the next day after their arrival unless the offender arrives on Friday, then the intake screening is completed the following Monday.</p> <p data-bbox="240 1794 1497 1984">The information gained from the screening for risk of victimization and abusiveness is strictly limited to staff on a “need to know basis” and is used in determining housing, bed, work, education, and program assignments with the goal of keeping offenders who are high risk of being sexually victimized separated from those who are at high risk for being sexually abusive. NCDPS-Prisons Risk to Sexual Victimization and Abusiveness Screening Guide requires within a set time period, not to exceed thirty (30) days from the offender’s arrival at the facility, the facility will reassess the offender’s risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.</p> <p data-bbox="240 2018 1497 2141">According to the PAQ, the facility reassessed 100% of the 288 offenders who entered the facility (either through intake or transfer) within the past 12 months whose length of stay in the facility was for 30 days or more and who were reassessed for their risk of sexual victimization or of being sexually abusive within 30 days after their arrival at the facility based upon any additional, relevant information received since intake. PREA Standard 115.41(f) requires “the facility reassess each</p>

offender's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the offender's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening. Case manager staff explained that the OPUS system automatically processes relevant information defined in the scoring matrices for victimization and abusiveness. OPUS also generates standard required assessments such as the CM Screening and Screening Inventory at Diagnostics/intake based on arrival dates. The screening guide explains that offenders with no history of transfers are reassessed when there is any new relevant information that is documented in OPUS.

The CM Screening requirements and when warranted due to a referral, request, incident of sexual abuse or when in receipt of additional information that is relevant to the offender's risk of sexual victimization or abusiveness. Provision (f) of Standard 115.41 requires that ALL offenders be reassessed within 30 days. Based on the language in the screening guide, interviews with a Case Analyst, the PREA Compliance Manager and Warden and examination of offender records, the reassessments are not taking place at Harnett CI. Further discussions revealed that 30-day reassessments were not being conducted department-wide unless there was information documented in the OPUS system within the first 30 days. At the time of the audit, these reassessments did not include any type of interview with the offender.

At a minimum, the reassessments require that screening staff consult available resources (including the inmate) to determine whether any previously unknown triggering event or information has become available. The PREA Notice of Final Rule notes "the final standard requires that inmates who remain in custody undergo a more extensive classification process within 30 days. This requirement recognizes that information relevant to the risk and classification needs will become available as staff interview, assess, and observe the inmate, and as the facility receives information from other agencies and sources.

After reviewing agency policy and procedures, information obtained through staff and offender interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.41(f) required corrective action.

Corrective Action Recommendations: 1. Recommend that reassessments be conducted effective immediately on inmates that have not yet been at the facility 30 days to verify 100% completion and provide the auditor with ongoing records of these reassessments.

Corrective action required and verification of corrective action since the on-site phase: On April 7, 2022, the Associate Warden for Programs submitted an office memorandum explaining the Harnett Correctional Institution in the Programs Department, all Case Managers and Program Supervisors that were assigned caseloads during the PREA Audit in January 2022 have made all corrections on any discrepancies that were found with the Offender's Case Management Screening List (CM). In addition, the Program Director I followed up by conducting internal audits to assist in making sure that all Case Managers and Program Supervisors are conducting their CM Screening appropriately by NCDPS Policy. The Associate Warden for Program II has also, ensured the assignment of all transgender Offenders to the same Case Manager to make sure that all transgender CM Screenings are conducted twice a year. In addition to the memorandum, the Associate Warden provided the auditor with the NCDPS OPUS Information system report titled Inmate Custody Screening Roster detailing confirmation Case Managers and Program Supervisors completed all inmate housing and programming assignment reassessments. Based on supporting documentation submitted by the agency, the agency/facility is in full compliance of the standard.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- Policy TX-113, Evaluation & Management of Transgender Offenders
- NCDPS Chapter F, Section .4300 Evaluation and Management of Transgender Offenders Policy and Procedure dated 3/31/21
- Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 4/10/19)
- Risk to Sexual Victimization and Abusiveness Guide (revised 4/26/21)
- Offender Records
- PREA Standards Compliance Checklist
- Screening Inventory PPP (Updated April 2021)
- Memorandum of Clarification from NCPS PREA Director related to 115.41 dated 4/19/21
- Memorandum of Clarification from NCPS PREA Director related to 115.41 dated 4/29/21
- Memorandum of Clarification from NCPS Director regarding procedures for Immigration Detainers dated 2020
- NCDPS OPUS Information, Case Management Screening List
- NCDPS OPUS Offender Information used during screening process
- NCDPS OPUS Offender Health Classification and Consideration Report
- NCDPS OPUS Inmate Custody Screening Roster
- Memorandum from Associated Warden for Programs
- Harnett Correctional Institution Pre-Audit Questionnaire
- Interviews with facility Case Analyst

- Interview with Warden
- Interview with PREA Compliance Manager
- Interview with random inmates

115.42

Use of screening information

Auditor Overall Determination: Meets Standard

Auditor Discussion

NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), NCDPS Chapter F, Section .4300 Evaluation and Management of Transgender Offenders Policy and Procedure dated 3/31/21, Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 4/10/19), Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21), Risk to Sexual Victimization and Abusiveness Guide (revised 2021).

requires the information used from the risk screening required by PREA Standard 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those offenders at high risk of being sexually victimized from those at high risk of being sexually abusive. The agency and facility make individualized determinations about how to ensure the safety of each offender based in data gathered from the risk assessment, information from medical/mental health screenings, additional records reviews, information obtained from offender and observations made by staff. A transgender or intersex offender’s own view with respect to his own safety is given serious consideration when making facility and housing placements decisions and programming assignments. A few areas that staff consider when assigning offenders is what is the specific housing area design, the level of staff supervision, presence of surveillance equipment and if an area is an isolated area. The policy does prohibit placing gay, bisexual, transgender or intersex offenders in dedicated housing units or wings solely on the basis of such identification or status. Any offender identified as a high-risk abuser shall be restricted from double-cell housing. Reviews of offenders identified as high-risk abusiveness and identified as high-risk victimization is required to be completed weekly.

The Harnett CI Programs Director is responsible for reassessing the placement and programming assignments for each transgender or intersex offender at least twice each year to review any threats to safety experienced by the offender. The OPUS system automatically generates the standard required assessments and information within the OPUS system is limited to only those staff that need to know. There were four (4) inmate identifying as transgender or intersex, assessment records reviewed with a finding that three of the four inmates have not been reassessed to determine placement and programming assignments twice each year to review any threats to safety experienced by the inmate. One of the four inmates was not applicable given the inmate recently admitted to the facility. Interviews with four transgender inmates confirmed their placement and programming assignments were not reviewed twice each year.

The Programs Director also reviews the web-based security search tool weekly/or more often as deemed appropriate to monitor any high-risk offenders transferring into the facility. The Programs Director also reviews this same document to ensure jobs and program assignments are appropriate for the high-risk abusers being assigned to jobs at Harnett CI.

Interviews conducted with the PCM and Warden both indicated that the facility does take into consideration on a case-by-case basis whether an offender’s housing and program assignment would ensure the offender’s health and safety and whether the assignment would present management or security problems. While conducting the onsite, the auditor toured work and program areas. It was noted that there were sufficient security cameras strategically placed as well as security mirrors that reduced and eliminated blind spots. Staff controlled movement in and out of areas throughout the facility.

NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) states in part, “Transgender or intersex offenders shall be given the opportunity to shower separately from other offenders.” Interviews with the PCM and staff involved in the risk screening indicated that offenders that identify as transgender or intersex are provided the opportunity to shower separately from other offenders. At Harnett CI the shower in the intake area is the designated area that transgender or intersex offenders may shower. It was also reported that individuals who are identified as high-risk victim potential are housed throughout the facility in cells that staff can easily observe. Placement in isolation/restrictive housing is not an acceptable assignment as a means of ensuring the safety of transgender or intersex offenders.

There is a total of twenty (20) living units at Harnett CI. The facility reported in the PAQ that there were sixteen (16) open bay dormitory style units that contained a dayroom area with tables/chairs/television/telephones and shower and bathroom areas. In addition, there are four (4) multiple cell units that contain individual or double bunked cells, a dayroom area that contained tables/chairs/television/telephones. All living areas had mailboxes for US mail/Correspondence, Medical, and Grievances.

After reviewing agency policy and procedures, information obtained through staff and offender interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.42(d) required corrective action.

Corrective Action Recommendations: 1. Recommend that reassessments be conducted effective immediately on transgender/intersex inmates to determine placement and programming assignments to review any threats to safety experienced by the inmate. Provide the auditor with ongoing records of these reassessments when completed and track inmates in the future. 2. Recommend that facility administration review policy and procedures with all case management

staff and participate in training and provide documentation such as training records to verify acknowledgement they understand the training.

Corrective action required and verification of corrective action since the on-site phase:

On April 7, 2022, the Associate Warden for Programs submitted an office memorandum explaining the Harnett Correctional Institution in the Programs Department, all Case Managers and Program Supervisors that were assigned caseloads during the PREA Audit in January 2022 have made all corrections on any discrepancies that were found with the Offender's Case Management Screening List (CM). In addition, the Program Director I followed up by conducting internal audits to assist in making sure that all Case Managers and Program Supervisors are conducting their CM Screening appropriately by NCDPS Policy. The Associate Warden for Program II has also, ensured the assignment of all transgender Offenders to the same Case Manager to make sure that all transgender CM Screenings are conducted twice a year. In addition to the memorandum, the Associate Warden provided the auditor with the NCDPS OPUS Information system report titled Inmate Custody Screening Roster and Case Manager Screening List detailing confirmation Case Managers and Program Supervisors completed all inmate housing and programming assignment reassessments for inmates identifying as transgender or intersex. Based on supporting documentation submitted by the agency, the agency/facility is in full compliance of the standard.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- NCDPS Chapter F, Section .4300 Evaluation and Management of Transgender Offenders Policy and Procedure dated 3/31/21
- Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 4/10/19)
- Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21)
- Risk to Sexual Victimization and Abusiveness Guide (revised 4/26/21)
- OPUS Screens displaying assessments/questions
- PREA Standards Compliance Checklist
- Harnett Correctional Institution Pre-Audit Questionnaire
- Screening Inventory PPP (Updated April 2021)
- Memorandum of Clarification from NCPS PREA Director related to 115.41 dated 4/29/21
- NCDPS OPUS Information, Case Management Screening List
- NCDPS OPUS Information, Inmate Control Status Assignment History
- NCDPS OPUS Information, Inmate Custody Screening Roster and Case Manager Screening List
- Memorandum from Associate Warden for Programs
- Interview with PREA Compliance Manager
- Interview with Deputy Warden
- Interview with Case Management staff

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 232">Auditor Discussion</p> <p data-bbox="240 271 1485 600">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21), Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21) requires that offenders at high risk for sexual victimization shall not be placed in restrictive housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the offender in restrictive housing for less than 24 hours while completing the assessment. Harnett CI reported that there were no inmates who were at risk of sexual victimization who were held in involuntary segregated housing in the past twelve (12) months for one-twenty-four (24) hours awaiting completion of an assessment of alternative means. The Warden and the PREA Compliance Manager both reported they would transfer the offender as an alternative. The design and operations of the facility allow for a variety of options of housing if necessary.</p> <p data-bbox="240 629 1485 857">Policy also requires that offenders placed in restrictive housing for this purpose shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility does have to restrict on offender's access to programs, privileges, education, or work opportunities, the facility shall document the opportunities that have been limited, the duration of the limitation and the reasons for such limitations. Any information regarding any such situations would be documented in the OPUS system. The assignment should not ordinarily exceed a period of thirty (30) days. The facility reported in the PAQ that there have been zero (0) offenders who were assigned to involuntary segregated housing for longer than 30 days while waiting alternative placement.</p> <p data-bbox="240 887 1481 947">After reviewing agency policy and procedures, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="240 976 1050 1005">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1055 1398 1319" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) • Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Warden • Interview with PREA Compliance Manager

115.51

Inmate reporting

Auditor Overall Determination: Meets Standard

Auditor Discussion

NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21), Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21) requires that multiple internal ways should be provided for offenders to privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. At least one way shall be provided for offenders to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward offender reports of sexual abuse and sexual harassment to agency officials, allowing the offender to remain anonymous upon request.

Ways of reporting incidents of sexual abuse and harassment include reporting to any employee/volunteer/contract staff, utilizing the administrative remedy process (grievance), utilizing the PREA/Grievance lockbox, writing the PREA Office and/or utilizing the toll-free number for reporting directly to an external agency/entity. Third party reporting can be made via email, phone, or letter.

When offenders arrive at the facility, they are provided a document that explains how to report incidents anonymously by writing to the Warden and Assistant Warden. An address was also provided for the Prison Legal Services and the PREA Office in Raleigh, NC. The offenders are also provided a PREA External reporting number as well as access to a Rape Crisis Center (SAFE of Harnett County). The auditor interviewed staff from The SAFE of Harnett County Sexual Resource Center. She indicated that there had been no calls from inmates from Harnett CI during the past 12 months requesting any emotional support services related to a sexual abuse or sexual harassment occurring at the facility. When offenders participate in Orientation, they are provided an External Reporting Agency Acknowledgement Form. The form explains that NCDPS-Prisons signed an agreement with Forgiven Ministry to partner with and provide external reporting for offenders that are victims of sexual abuse and sexual harassment. The form provides a telephone number to call as well as an explanation of the offender's rights in regard to sexual safety. Reports received by Forgiven Ministry are immediately forwarded to agency officials, allowing the offender to remain anonymous upon request. Even though the facility does not house offenders detained solely for civil immigration purposes, policy still requires that offenders detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the US Department of Homeland Security.

While touring the facility, signage was observed in multiple areas in each housing unit/living unit. The signage included instructions and numbers that can be called to report incidents of sexual abuse/assault. Additional signage provided contact information for Offender reporting, Family & Friends Reporting, Employee Reporting and Employee Responsibilities. One of the numbers is automatically programmed into the Inmate Calling System as (*63). During a revisit to one of the living units with the alternate PCM, the auditor dialed the number *63 and the auditor was able to speak with an individual on the other end of the line and did not get a recording. The auditor spoke with a representative from Forgiven Ministries explained that they can provide confidential outside support services and was not a way for inmates to report sexual abuse or harassment.

Interviews with random inmates confirmed they were educated on how to report sexual abuse and sexual harassment but did not know or completely understand how to report using the utilizing the Inmate Reporting Sexual Abuse hotline by dialing 972-535-3499, the number that is posted on each housing unit. Most offenders were somewhat aware of where to go to find reporting methods in their Orientation paperwork. Inmates were confused or did not know the difference between making a report using the *63 or by dialing 972-535-3499 to speak to a live person to make a report of sexual abuse or harassment.

During the evidence review and interim report phases, the facility PCM provided the auditor photographs showing posting at all inmate telephones the PREA external reporting number, 972-535-3499 and the *63 number to contact the local rape crisis center. In addition, the PCM posted a notice to the inmate population of four ways and contact numbers to report sexual abuse and harassment and contact the local rape crisis center for confidential outside support services. Based on the lack of inmate knowledge at least one way to report to a public or private entity or office that is not part of the agency, corrective action is required by the facility. Correction action will include additional follow up staff interviews to verify the updated reporting notices were posted on the telephones and in the designated areas PREA zones located in each dayroom on all the living units.

Policy and procedures require all reports of sexual abuse and sexual harassment, however made (verbally, in writing, anonymously, and from third parties), are to be forwarded to the Warden and the PREA Office. Staff are required to report immediately any verbal reports of sexual abuse or sexual harassment. Staff are required to document verbal reports as soon as possible; but at least within 24 hours.

Each employee has a duty to report any and all violations and are to immediately notify their OIC and document verbal reports made to them through the Incident Reporting System. Policy also allows staff to privately report sexual abuse and

sexual harassment of offenders. The ways for staff to report are defined in the policy and is also included on the Ways to Report posters that are prominently posted throughout all areas of the facility. All reports of sexual abuse and sexual harassment, however made (verbally, in writing, anonymously, and from third parties), are to be forwarded to the Warden and the PREA Office. Staff are required to report immediately any verbal reports of sexual abuse or sexual harassment. Staff are required to document verbal reports as soon as possible; but at least within 24 hours.

Apart from reporting to the designated supervisors or officials and designated state or local services agencies, staff are prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. Staff are required to report immediately any staff neglect or violation of responsibilities or duties that may have contributed to an incident or retaliation.

After reviewing agency policy and procedures, information obtained through staff interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.51 (b) required corrective action.

Corrective Action Recommendations: 1. During the evidence review and interim report phases, the facility PCM provided the auditor photographs showing posting at all inmate telephones the PREA external reporting number, 972-535-3499 and the *63 number to contact the local rape crisis center.

Corrective action required and verification of corrective action since the on-site phase: On January 28, 2022, the PREA Compliance Manager provided the auditor with photographs from the living unit day rooms posted near the television protection case, the posting, "Break the Silence Now" listing the facility external reporting line and telephone number as well as the rape crisis center emotional support services hotline. During the corrective action period, the auditor interviewed ten security staff to verify the notices were posted on the inmate living units. The interviewed security staff confirmed the notices were posted since early February. The security staff further explained facility administrators discussed the reporting notices during several shift change briefings. The facility PREA Compliance Manager confirmed the Inmate Reporting Sexual Abuse and Rape Crisis Center hotline numbers were in working order to allow inmates the ability to make a report sexual abuse and harassment. Based on the above listed information, the agency meets the standard and complies with the standard for the relevant review period.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21)
- Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21)
- Orientation Paperwork containing reporting information
- Ways to Report Posters/Flyer
- PREA Reporting for Offenders, Employees, Family Members Poster/Flyer
- PREA Standards Compliance Checklist
- Harnett Correctional Institution Pre-Audit Questionnaire
- Inmate Reporting and Emotional Support Services Information Memo and Posting Pictures
- Memorandum of Clarification on external reporting agency from PREA Director dated 2/21/18
- Interview with Random Inmates
- Interview with Random Staff
- Interview with Outside Reporting Entity Staff

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

NCDPS-Prisons Policy G .0300 (Administrative Remedy Procedure, dated 8/01/13) allows offender to submit a grievance regarding an allegation of sexual abuse at any time, regardless of when the incident occurred. Policy requires all grievances that are filed regarding allegations of sexual abuse or sexual harassment be forwarded to the Warden for appropriate action in accordance with PREA. Immediate notification of the NCDPS PREA Office is also required. Offenders are educated and advised of the Administrative Remedy Procedure during their Orientation at all institutions such as Harnett CI. Offenders are provided both written material and an oral explanation of the procedure and provided the opportunity to ask questions regarding the grievance procedure. Offenders are permitted to request assistance in understanding the process and also in completing a grievance. Third parties are permitted to assist an offender in submitting a grievance regarding allegations of sexual abuse and are also permitted to submit such a grievance.

Outside third parties may include other offenders, staff members, family members, attorneys and outside advocates. The policy allows that the alleged offender victim agree to have the grievance submitted on his behalf. If the offender declines to have the grievance processed on his behalf, the facility should document this refusal. The facility reported that there were three (3) grievances alleging sexual abuse filed by offenders in the past twelve (12) months in which the offender declined third-party assistance, containing documentation of the inmate's decision to decline. The policy also explains that an offender can submit a grievance without submitting it to the staff member who is subject of the complaint. The policy does not allow the grievance to be referred to the staff member who is subject to the complaint.

The NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) allows an offender to report incidents of sexual abuse and sexual harassment in a variety of ways to include verbal reports to any staff, the administrative remedy process, a written correspondence placed in the PREA/grievance locked box or placing a toll-free call to an external agency or entity.

NCDPS-Prisons utilizes a tiered grievance process. Policy requires that a decision be made within ninety (90) days (time period does not include time consumed by inmates in preparing any administrative appeal) on any portion of a grievance alleging sexual abuse and allows an extension of time to respond up to seventy (70) days. When an extension is requested, the offender should be notified in writing of the extension and provide a date when the decision will be made. Policy also requires that if at any level of the administrative remedy process, including the final level, the inmate does not receive a response within the time provided for reply, including any properly noticed extension, the absence of a response shall be a denial at that level which the inmate may appeal. The facility reported in the PAQ that there had been three (3) grievance filed in the last twelve (12) months that alleged sexual abuse that reached final decision within ninety (90) days of being filed. None of these grievances required an extension.

If an emergency grievance alleges that an offender is subject to substantial risk for imminent sexual abuse, an initial response an initial response should be provided within 48 hours and final agency decision be issued within 5 days. Harnett CI reported that there were no emergency grievances alleging substantial risk of imminent sexual abuse filed in the past 12-months. No reprisals are to be taken against any offender for a good faith use of or participation in the grievance procedure. The prohibition against reprisals should not be construed to prohibit discipline of offenders who do not use the system in good faith.

Interviews with random offenders confirmed the multiple ways an offender could report allegations of sexual abuse or sexual harassment, submitting a grievance was one of those ways. The offenders explained the grievance boxes on the housing units. None of the random offenders interviewed had ever filed a grievance regarding an allegation of sexual abuse or sexual harassment but said other grievances they have filed were responded to well within the timeframes set out in policy. Random staff interviewed shared how an offender could place a grievance in the grievance box and assigned staff retrieved the contents of the mailbox.

After reviewing agency policy and procedures, staff and offender interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- NCDPS-Prisons Policy G .0300 (Administrative Remedy Procedure, dated 8/01/13)
- Memorandum of Clarification from NCPS Director regarding procedures for Immigration Detainers dated 10/21/14
- PREA Standards Compliance Checklist
- Harnett Correctional Institution Pre-Audit Questionnaire
- NCDPS-Prisons Offender Rules and Policies Handbook
- Interview with Random Staff
- Interview with Random Offenders

115.53

Inmate access to outside confidential support services

Auditor Overall Determination: Meets Standard

Auditor Discussion

NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21), Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21) requires the facility to provide victim offenders with access to outside victim advocates for emotional support services related to sexual abuse, PREA Support Persons and legal counsel. Mailing addresses and telephone numbers, including toll-free hotline numbers for local, state, or national victim advocacy or rape crisis organizations are provided to offenders during their intake and Orientation. Enabling reasonable communication between offenders and the organizations/agencies in as confidential manner as possible is also required per policy. The facility is required to inform the offenders prior to giving them access, of the extent to which such communication will be monitored and the extent to which reports of abuse will be forwarded to authorities with mandatory reporting laws.

There is a Memorandum of Understanding with SAFE of Harnett County, Sexual Assault Resource Center, signed 2/16/2021 by the Warden of Harnett CI and a SAFE of Harnett County representative. SAFE of Harnett County will provide free, confidential sexual abuse advocacy services for the Harnett CI offender population. The SAFE of Harnett County crisis line telephone number is programmed into the Inmate Calling System for offenders to utilize at any time. The auditor conducted a telephone interview with a representative from SAFE of Harnett County and she indicated that SAFE of Harnett County had not received any telephone calls in the past twelve (12) months from inmates at Harnett CI. The SAFE of Harnett County representative explained that they are also contracted with Harnett Health, Central Harnett Hospital so if an offender was taken for a forensic exam, SAFE of Harnett County also provides advocates and support services during the forensic exam process. The Charge Nurse in the Emergency Department at Central Harnett Hospital confirmed the partnership with SAFE of Harnett County and advised they have a SAFE/SANE available on a 24-hour basis that would conduct a forensic exam at no financial cost to the offender victim. The PCM indicated the offenders are provided with a SAFE of Harnett County brochure and orientation material that contained facility guidelines regarding PREA, information on how to report incidents of sexual abuse and sexual harassment, including telephone numbers of outside agencies. Spanish versions are provided to Limited English proficient offenders.

Interviews with random inmates confirmed they were had limited knowledge and did not know the difference between making a report using the *63 or by dialing 972-535-3499 to speak to a live person to make a report of sexual abuse or harassment or seek outside support services. Most inmate confirmed their lack of knowledge of how to access outside services from Forgiven Ministries or SAFE of Harnett County. Inmates had limited knowledge of what kind of services are provided to them, when they are able to talk with people from these services, knowing what is said remains private related to mandatory reporting law.

While touring the facility, signage was observed in multiple areas in each housing unit/living unit. The signage included instructions and numbers that can be called to report incidents of sexual abuse/assault. Additional signage provided contact information for Offender reporting, Family & Friends Reporting, Employee Reporting and Employee Responsibilities. One of the numbers is automatically programmed into the Inmate Calling System as (*63). During a revisit to one of the living units with the alternate PCM, the auditor dialed the number *63 and the auditor was able to speak with an individual on the other end of the line and did not get a recording. The auditor spoke with a representative from Forgiven Ministries explained that they can provide confidential outside support services and was not a way for inmates to report sexual abuse or harassment. Based on limited inmate knowledge on how to access outside confidential support services, of what kind of services are provided to them, when they are able to talk with people from these services, knowing what is said remains private related to mandatory reporting law. Correction action will include additional follow up inmate interviews to verify the updated reporting notices were posted on the telephones and in the designated areas PREA zones located in each dayroom on all the living units. Specifically, provision 115.53 (a) required corrective action.

Corrective Action Recommendations: 1. During the evidence review and interim report phases, the facility PCM provided the auditor photographs showing posting at all inmate telephones the PREA external reporting number, 972-535-3499 and the *63 number to contact the local rape crisis center. During the corrective action period, the auditor will conduct telephone staff and administrator interviews to verify the recent changes to access outside confidential support services and verify knowledge with what kinds of services are provided and when they can talk with people from these services.

Corrective action required and verification of corrective action since the on-site phase: On January 28, 2022, the PREA Compliance Manager provided the auditor with photographs from the living unit day rooms posted near the television protection case the notice, "Break the Silence Now" listing the facility external reporting line and telephone number as well as the rape crisis center emotional support services hotline. During the corrective action period, the auditor interviewed ten security staff to verify the notices were posted on the inmate living units. The interviewed security staff confirmed the notices were posted since early February. The security staff further explained facility administrators discussed the reporting notices during several shift change briefings. The facility PREA Compliance Manager confirmed the Inmate Reporting Sexual Abuse

and Rape Crisis Center hotline numbers were in working order to allow inmates the ability to make a report sexual abuse and harassment. During the inmate orientation process, the facility case managers and intake staff distributed emotional support services information to inmates transferred to HCI. Based on the above listed information, the agency meets the standard and complies with the standard for the relevant review period.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21)
- Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21)
- Memorandum of Understanding: NCDPS PREA Victim Support Partnership with SAFE of Harnett County dated 2/16/21
- SAFE of Harnett County Brochure, English, and Spanish Versions
- Intake Orientation Talking Points
- PREA Orientation Upon Admission Handout
- Ways to Report Poster
- Reporting Hotline Poster
- Reporting and outside emotional support notice photographs
- PREA Standards Compliance Checklist
- Harnett Correctional Institution Pre-Audit Questionnaire
- Inmate Reporting and Emotional Support Service Information Memo and Posting Pictures
- Interview with PCM
- Interview with SAFE of Harnett County Representative
- Interview with Charge Nurse at Central Harnett Hospital
- Interviews with Random Staff
- Interviews with Random Offenders

115.54	Third-party reporting
	<p data-bbox="240 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1193 300">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19),</p> <p data-bbox="240 327 1474 622">Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) recognizes that third-party reporting can be made via email, phone or letter and can be made to any NCDPS-Prisons employee. Phone calls made to the PREA telephone number goes directly the PREA Office where the statewide PREA Coordinator who will in turn notify and inform the Warden. The NCDPS-Prisons website provides information to the general public regarding PREA, to include information regarding third-party reporting of sexual abuse and sexual harassment incidents. The auditor viewed the website and confirmed the information regarding third-party reporting. The website contained a link that would send an email to the NCDPS-Prison PREA Director. Staff are also provided a way to report offender sexual abuse anonymously through the Fraud, Waste, Abuse and Misconduct Hotline. The PREA Coordinator notifies the Warden of any information received and an investigation into the allegations will be initiated.</p> <p data-bbox="240 651 1493 813">Harnett CI has an MOU with SAFE of Harnett County to provide for advocacy services as well as being an external entity that offenders could utilize to report allegations of sexual abuse and sexual harassment anonymously. In order for the SAFE of Harnett County representative to notify the facility of the information shared with them, the offender must sign a consent form giving SAFE of Harnett County permission to contact the facility and report the allegation of sexual abuse or sexual harassment.</p> <p data-bbox="240 842 1493 938">Random interviews with staff confirmed that they understand the requirement to accept allegations of sexual abuse and sexual harassment when a third-party may report an incident of sexual abuse and sexual harassment to them. Staff said that the "third-party" could be other offenders, staff members, attorneys, outside advocates, offender family members.</p> <p data-bbox="240 967 1461 1028">After reviewing agency policy and procedures, NCDPS Website, staff interviews, and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="240 1057 1050 1086">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1137 1485 1332" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) • NCDPS-Website-PREA Information • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Random Staff

115.61	Staff and agency reporting duties
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/20) requires all staff, employees, contractors, and volunteers to immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility to their immediate supervisor or the Officer in Charge (OIC) of the shift. Staff has a duty to report any allegations that offenders are having sexual relationships with other offenders or with staff. As well as reporting incidents, staff should also report any retaliation against offenders or staff who report incidents and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. These reports also go to the immediate supervisor or OIC of the shift. The reporting of third-party and anonymous reports is included and are reported to the designated investigators. Staff are prohibited from revealing any information related to a sexual abuse incident to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. Mental health and medical staff are also required to report incidents of sexual abuse and informing the offender of the practitioner's duty to report at the initiation of services. If the facility ever has an alleged victim under the age of 18 or that was considered a vulnerable adult under state or local vulnerable persons statute, a report to the North Carolina Department of Social Services is required.</p> <p>Random staff interviews, indicated staff understood their responsibility to report any knowledge, suspicion or information of sexual abuse or sexual harassment. Staff also understood that any information related to sexual abuse or sexual harassment is to be confidential and not be shared with anyone other than those that need to know. Staff said they would report to their supervisor or the OIC verbally and submit a written report. Medical and mental health staff also understood their responsibility to report any knowledge, suspicion or information of sexual abuse or harassment to facility supervisors and explained they would notify the offender of their duty to report at the initiation of any services they would provide to the offender. Medical and mental health staff reported they would utilize confidentiality appropriately in situations concerning sexual abuse and sexual harassment. Through an interview with the Warden, he advised that any reports of allegation of sexual abuse or sexual harassment that are reported through a third-party would be referred to the appropriate investigator and would be processed as any other allegation.</p> <p>After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p>Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) • Harnett Correctional Institution SOP Chapter 2 .4900 (PREA, dated 6/7/21) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Warden • Interview with Medical and Mental Health Staff • Interview with Random Staff

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1485 398">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) and Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 4/10/19) explains the agency's protection duties when the staff learns that an offender is subject to a substantial risk of imminent sexual abuse and requires immediate staff action be taken to protect the offender.</p> <p data-bbox="240 432 1493 589">During the interviews with random staff, they all reported that any information they received that alleges an offender is at substantial risk of imminent sexual abuse and they would all react and take immediate action by separating the alleged victim from the abuser to ensure the safety of the alleged victim. The Warden and the PCM both reported that there were no reports of substantial risk of imminent sexual abuse that required immediate action on staff's behalf in the past twelve (12) months.</p> <p data-bbox="240 622 1430 678">After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="240 712 1050 741">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 790 1398 1055" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Warden • Interview with PCM • Interview with Random Staff

115.63	Reporting to other confinement facilities
	<p data-bbox="242 145 742 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 454 237">Auditor Discussion</p> <p data-bbox="242 271 1492 533">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) and Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) requires that when Harnett CI receive an allegation that an offender was sexually abused while confined at another facility, the head of the facility that received the allegation (Harnett CI Warden) is required to notify the head of the facility or agency where the alleged abuse occurred. The notification to this other agency or facility should occur as soon as possible, but no later than 72 hours after receiving the allegation. The notification is documented on a memorandum and uploaded into the correspondence tracking system (CTS). If Harnett CI is notified from another facility or agency that an allegation of sexual abuse or sexual harassment has been reported, the allegation should be investigated immediately.</p> <p data-bbox="242 562 1492 891">During the interview with the Warden, he shared that if an offender reports an incident of sexual abuse/assault that occurred at another agency/facility, Harnett CI staff contacts the other agency/facility staff. The Warden and PCM shared that there was a recent situation (July 26, 2021) where a written grievance was submitted at another facility by an offender housed at HCI. The grievance alleged a HCI staff while performing a strip search made an inappropriate sexual comment. At the time of the alleged incident, he was assigned to HCI. The offender was being processed to transfer to the receiving facility. A PREA Support Person was assigned at that facility. An investigator was assigned to the incident to conduct and administrative investigation and determined to be unfounded based on video review and witness statements. The offender made a false allegation and was held accountable through the disciplinary process. Both the Warden and the PCM reported that there were no reports received from other agencies or facilities reporting that an offender alleged sexual abuse while assigned to Harnett CI.</p> <p data-bbox="242 920 1452 981">After reviewing agency policy and procedures, staff and offender interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="242 1010 1050 1039">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1090 1492 1420" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) • Incident and Inmate Discipline Reports from transfer facility • Memo from Warden • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Warden • Interview with PCM • Interview with PREA Support Person • Interview with Offender who reported prior victimization

115.64	Staff first responder duties
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1485 667">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21), and the Harnett CI Sexual Abuse Institutional Response Plan requires First Responders to ensure that the alleged offender victim is separated from the alleged offender perpetrator. If the abuse occurred within a time period that allows for the collection of evidence, ensure evidence is preserved and protected by securing the scene and requesting that the alleged offender victim not take any action which may destroy physical evidence, such as brushing teeth, urinating or defecating, smoking, showering, changing clothes or eating and drinking, ensure evidence is preserved by securing the scene and requesting that the alleged offender perpetrator not take any action which may destroy physical evidence, such as brushing teeth, urinating or defecating, smoking, showering, changing clothes or eating and drinking. The Officer in Charge (OIC)/ Senior Person in Charge or immediate supervisor should be notified as soon as possible. If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff. The offender should see medical and mental health staff as soon as possible.</p> <p data-bbox="242 696 1481 925">Interviews were conducted with random staff and Staff First Responders (security and non-security) and most staff were unable to recite First Responder responsibilities in accordance with facility policy when it is learned an offender was sexually abused. Random staff interviews indicated difficulty in providing the action steps identified in the policies and procedures, had limited knowledge of knowing all responsibilities and duties as first responders. The auditor recommended corrective action that staff must receive additional follow up training in that area to meet the standard. During the evidence review phase, the facility PCM submitted a “what should you do” first responder bullet point list, the facility’s first responder duties and responsibilities instructions, and staff training course record noting staff attendance and acknowledgement receipt.</p> <p data-bbox="242 954 1493 1050">After reviewing agency policy and procedures, information obtained through staff interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.64 (a). Corrective action is required.</p> <p data-bbox="242 1079 1477 1176">Corrective Action Recommendations: 1. Auditor recommended additional staff training on the first responder duties and responsibilities. The facility PCM provided training course records dated 2/4/22. During the corrective action period, the auditor will re-interview random staff to verify staff understood the training they received.</p> <p data-bbox="242 1205 1490 1366">Corrective action required and verification of corrective action since the on-site phase: On April 2, 2022, the facility administration including the Compliance Manager provided documentation indicating security staff were re-trained on staff first responder duties. On May 7, 2019, ten (10) staff were interviewed, and all staff interviewed verified receiving the training and could confidently list and explain all first responder duties. The corrections were made prior to the end of the 180-day corrective action period and the agency/facility is in full compliance of the standard.</p> <p data-bbox="242 1395 1050 1424">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1473 1251 1738" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett CI Sexual Abuse Institutional Response Plan, First Responder Duties • Staff Training Records • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • First Responder Duty Staff Training material • Interview with PCM • Interview with Security and Non-Security First Responders

115.65	Coordinated response
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1485 398">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21), and the Harnett CI Sexual Abuse Institutional Response Plan, identifies the facility’s written coordinated response and actions to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p data-bbox="242 432 1485 656">The Warden shared that he as well as the staff assigned to the facility are confident in their knowledge of coordinated actions to take when a situation of sexual abuse is reported to them. Most random staff interviews seemed to indicate staff did not know or aware of the proper steps to protect an offender alleging sexual abuse/assault, securing, and preserving evidence, requests made to both the offender victim and offender perpetrator to not take any actions that would destroy evidence, notification to the OIC/supervisor on duty/their supervisor, ensuring offender victim is seen by medical staff and documentation of the incident prior to the conclusion of their shift. Furthermore, random staff were unaware the response plan was located in designated areas of the facility to refer to in cases of sexual abuse and harassment.</p> <p data-bbox="242 689 1485 779">After reviewing agency policy and procedures, information obtained through staff interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.65 (a). Corrective action was required.</p> <p data-bbox="242 813 1485 969">Corrective Action Recommendations: 1. Auditor recommended additional staff training on the knowledge and implementation of the facility’s institutional plan related to staff’s responsibilities, informing staff that a step-by-step detailed plan exists, and the designated location the plan can be referred to in a sexual abuse allegation. The facility PCM provided training course records dated 2/4/22. During the corrective action period, the auditor will re-interview staff to verify staff understood the training they received.</p> <p data-bbox="242 1003 1485 1193">Corrective action required and verification of corrective action since the on-site phase: On April 2, 2022, the facility administration including the Compliance Manager provided documentation indicating security staff were re-trained on staff first responder duties as related to the institutional response plan and the plans location should security staff need to use as a reference. On May 7, 2019, ten (10) staff were interviewed, and all staff interviewed verified receiving the training and could confidently list and explain the institutional plan. The corrections were made prior to the end of the 180-day corrective action period and the agency/facility is in full compliance of the standard.</p> <p data-bbox="242 1227 1050 1256">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1305 1249 1570" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution SOP Chapter D .4900 (PREA, dated 6/7/21) • Harnett CI Sexual Abuse Institutional Response Plan • Staff Training Records • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Warden • Interviews with Random Staff

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 591">NCDPS does not engage in a collective bargaining agreement with their employee workforce. There has been no collective bargaining agreement entered into that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. NCDPS does not allow such entities to restrict the ability to terminate an employee or remove a staff member who has been alleged to sexually abused or sexually harassed an offender from having contact with an offender pending the outcome of an investigation or of a determination of whether to and to what extent discipline is warranted. The Human Resources staff and the Warden both confirmed collective bargaining is not utilized within NCDPS. A written summary of an interview conducted earlier in the audit cycle was reviewed. The summary review allowed this auditor to verify that the PREA Program Coordinator reported that collective bargaining is not utilized in the NCDPS.</p> <p data-bbox="229 591 1509 658">After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="229 658 1509 725">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="277 725 1509 963" style="list-style-type: none"> • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with PREA Program Coordinator • Interview with Warden • Interview with Human Resources Staff

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) requires the protection and monitoring of inmates and staff who have reported sexual abuse and sexual harassment or who have cooperated in a sexual abuse or sexual harassment investigation. NCDPS policies and procedures prohibit retaliation against any staff or inmate for making a report of sexual abuse as well as retaliation against a victim who has suffered from abuse. Requires multiple protections such as housing changes or transfers for inmate victims or abusers, removal of the alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation are available. Requires monitoring for a minimum of ninety (90) days, with periodic status checks, and provides protections for any other individual who cooperates with an investigation. The monitoring at a minimum will take place for a period of 90 days or longer, as needed. This monitoring would include inmate disciplinary reports, housing and program changes, negative performance reports as well as reassignments of staff.

The PCM confirmed that retaliation against staff or offenders making an allegation of offender sexual abuse or sexual harassment is prohibited. The PCM reported that he is charged with monitoring staff for potential retaliation against them and would document the information on the Staff (OPA-I22) form. The PCM confirmed also that there are five (5) PREA Support Persons assigned to Harnett CI that are responsible for offender monitoring for potential retaliation. During an interview with one of the five identified PSP, he explained that the role of the PREA Support Person is to serve as an advocate to link services (community base advocates or mental health professionals) and support to offenders who report sexual abuse and sexual harassment by another offender, staff member, contractor or volunteer. Offenders are met with immediately and every other week thereafter for a minimum of 90 days and up to 180 days. PRP monitor retaliation by monitoring changes in work assignments, education or vocational changes, inmate disciplinary reports, housing and program changes, negative performance reports as well as reassignments of staff.

When the outcome of the investigation has been determined to be unfounded, retaliation monitoring may be terminated prior to the 90-day minimum requirement only if approved by the facility administrator. Upon completion of the investigation, the PCM and/or the PSP complete a "PREA Sexual Abuse and Harassment Retaliation Report" form [Staff (OPA-I22) or Offender (OPA-I24)]

The PCM confirmed there were a total of ten (10) sexual abuse and harassment incidents over the past twelve months. After reviewing facility documentation, six (6) of ten (10) incidents did not have documentation to indicate retaliation was monitored for at least ninety days. One (1) incident had retaliation monitoring for two months before the inmate was transferred to another facility. The remaining three (3) incidents showed retaliation monitoring started however but only for a brief period of time roughly for a month and half.

After reviewing agency policy and procedures, information obtained through staff interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.67 (a-f) required corrective action.

Corrective Action Recommendations: 1. Recommend PSPs receive additional training on the retaliation monitoring standard, 115.367 and document the training occurred by providing the auditor with training records. 2. Recommend completing the required documentation to monitor retaliation for incidents that occur during the corrective action period to verify the process is institutionalized with facility procedures.

Corrective action required and verification of corrective action since the on-site phase: During the corrective action period, the facility reported one sexual abuse investigation, and the facility PREA Compliance Manager provided the PREA Support Services form detailing the PREA Support Person responsibility of monitoring retaliation by conducting periodic status checks. The PREA Support form also recorded the inmates request for emotional support services provided by the local rape crisis center. The corrections were made prior to the end of the 180-day corrective action period and the agency/facility is in full compliance of the standard.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21)
- PREA Support Person Training Curriculum
- NCDPS PREA Retaliation monitoring and period check forms, form OPA-124
- PREA Standards Compliance Checklist
- Harnett Correctional Institution Pre-Audit Questionnaire
- Interview with Warden
- Interview with PCM
- Interview with PRP

115.68	<p>Post-allegation protective custody</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) and Harnett Correctional Institution SOP Chapter 2 .5900 (Offender Sexual Abuse and Sexual Harassment, dated 6/30/21) requires that inmates identified as victims of sexual abuse shall not be placed in involuntary restrictive housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. Also, the policy contained information on post-allegation protective custody or guidelines for moving an inmate to another housing area or another facility as a last measure to keep inmates who alleged sexual abuse safe and only until an alternative means for keeping the inmate safe can be arranged. It allows for the temporary holding, less than twenty-four (24) hours, in involuntary segregated housing or in temporary protective custody only if the facility cannot conduct such an assessment immediately. If an inmate is placed in restrictive housing, the inmate is seen every seven (7) days by the mental health staff who documents the status. An “Administrative Restrictive Housing – Protective Custody” form is required to be completed when an inmate is placed into the restrictive housing unit. There were zero (0) offenders who alleged to have suffered sexual abuse who were held in involuntary segregated housing in the past twelve (12) months for one to 24 hours awaiting completion of an assessment, that were assigned to restrictive housing for longer than thirty (30) days while awaiting an alternative placement.</p> <p>An interview with the Warden and the PCM indicated the facility does not have restrictive housing and if there was a result of an allegation being identified as a high risk for sexual victimization, the inmate would be transferred to another facility. Also, the Warden’s interview indicated there has been no transfer of any inmates resulting of an allegation or as being identified as high risk for sexual victimization in the past twelve (12) months.</p> <p>After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p>Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Warden • Interview with PCM
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115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1490 763">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution SOP Chapter D .6600 (PREA, dated 10/16/2020) requires that investigations into allegations of sexual abuse and sexual harassment, shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. Policy also requires that sexual abuse and sexual harassment investigations shall be conducted by staff that has received special training in sexual abuse investigations. Interviews with Harnett CI Investigators confirmed their attendance at the NCDPS Specialized Investigations: Sexual Abuse and Harassment training. Harnett CI currently has six (6) staff who have attended the Investigator training. All alleged incidents of sexual abuse or harassment are referred to the local law enforcement office, Lillington Police Department and Harnett County Sheriff's Department for criminal investigations. When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation. Investigators reported that they become the contact person for the Lillington Police Department or Harnett County Sheriff's Department. In addition, staff refer all allegations of sexual abuse and harassment to the Regional Office and the NCDPS PREA Office for completion of an administrative investigation. The facility's PREA investigators could be assigned to conduct the administrative investigation. Allegations involving staff shall be reported to the Office of Special Investigation in accordance with NCDPS-SI-100 OSI Authority to Conduct Investigations Policy.</p> <p data-bbox="240 797 1490 1055">Investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data including video and/or audio recordings; shall interview alleged victims, suspected perpetrators, and witnesses. The Investigator should also review prior complaints and reports of sexual abuse involving the suspected perpetrator, included in the incident package and considered when determining credibility of the allegations. When the quality of evidence appears to support criminal prosecution, the Department of Public Safety sexual abuse and harassment investigators shall only be permitted to continue interviews after consulting with local law enforcement agency, who in turn, consults with local prosecutors, as to whether interviews may be an obstacle for subsequent criminal prosecution.</p> <p data-bbox="240 1088 1490 1346">The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as offender or staff. Polygraph examinations or other truth-telling devices are not required as a condition for proceeding with the investigation of an allegation of sexual abuse. During the interviews with the Investigators, they determine the credibility of the subject of an interview depending on their ability to provide verifiable details that contribute to the veracity of their story. The more verifiable details they provide, the more it contributes to the veracity of their story. The investigator's questions need to also address things that only appear to be secondary to the line of questioning but are key to establishing the credibility of their narrative. The Investigator explained they like to measure whether the subject's non-verbal indicators of truthfulness align with their verbal indicators that they are being truthful.</p> <p data-bbox="240 1379 1490 1570">The policies also require that investigations include an effort to determine whether staff actions or failures to act contributed to the abuse. Administrative Investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Criminal Investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence with all documentary evidence attached where feasible. Substantiated allegations of conduct that appears criminal shall be referred for prosecution.</p> <p data-bbox="240 1603 1490 1727">According to the PAQ, and verification from interviews with the PCM and investigators confirm there were one (1) substantiated allegations of conduct that appeared to be criminal that were referred for prosecution since the last PREA audit. The allegation, staff sexual misconduct, occurred in 2020 and was referred to the Lillington Police Department for a criminal investigation.</p> <p data-bbox="240 1760 1490 1861">All written investigation reports will be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five (5) years. The departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.</p> <p data-bbox="240 1895 1490 2141">The Harnett Correctional Institution Standard Operating Procedures, Chapter 2 .5900 (PREA, dated 10/16/2020), Section 7, Investigations, (A) General Provisions: Any state entity or Department of Justice component that conducts administrative or criminal investigations of alleged sexual assault or sexual harassment does so pursuant to the requirements of the national standard § 115. 71. (i) Investigations into allegations of sexual abuse and sexual harassment, including offender-on-offender sexual abuse or staff sexual misconduct, shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. Section B Investigation Documentation, (i) Reported allegations, including persons involved and preliminary steps taken, shall be documented in OPUS on the PR (PREA) Incident Report within 72 hours of receiving the report. All PREA Investigations shall be consulted (referred) to the Region level for final decision. (ii) The</p>

PREA investigation shall be completed and decided upon (approved) by the Region Director within 30 days of the initial PREA report. An extension of an additional 30 days maximum may be given by the Region Director in instances where the investigation requires additional time for the collection of evidence or determination of validity. Any PREA investigation that extends beyond the 60 maximum days must have prior approval by the Director of Prisons. (iii) Sexual abuse and sexual harassment investigator shall submit the completed investigation report to the Warden immediately upon completion. The report is not complete until submitted to the region office for approval.

Over the past twelve months, HCI had eleven (11) sexual abuse and harassment allegations referred to investigators to complete administrative investigations. After review of the investigative reports, five (5) of the ten (11) investigations were conducted promptly, thoroughly, and approved by the facility Warden and Regional Director in a timely manner. The remaining (6) investigations were completed three to nine months after an investigator was assigned and approved by the Warden. Two (2) of the six (6) investigations were granted extensions from the Regional Director and Director of Prisons due to an investigator oversight as well as the investigator was on extended sick leave. Another investigator was assigned the investigation and was later approved by the Warden seven months following the incident date. The remaining four (4) investigations were delayed approval due to incomplete investigations needing additional witness statements, proper documentation, and no PREA Support Person (PSP) staff assigned to the allegation.

After reviewing agency policy and procedures, information obtained through staff interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.71 (a) required corrective action.

Corrective Action Recommendations: 1. Recommend the facility implement a more efficient tracking system to monitor the status of open and future administrative investigations are completed promptly and approved within the time frame established in agency policy and facility operating procedures. 2. Recommend the facility PCM or investigator oversee the assignment and follow through of PREA Support Staff (PSP) throughout the investigative process, monitor retaliation, notifying the inmate of the outcome, and SIR incident review.

Corrective action required and verification of corrective action since the on-site phase: During the corrective action period, the agency and facility administrators steam lined the investigation tracking system to promptly determine the outcome of future sexual abuse and harassment allegations as required within agency policy and procedures. The one recent sexual abuse allegation that occurred during the corrective action period showed that the time frames for allegation determinations and outcomes were met outlined in policy and procedures. The facility PREA Compliance Manager provided the auditor with the investigative report to show compliance. Based on the information provided by the PREA Compliance Manager, the agency and facility meet the standard and complies with the standard for the relevant review period.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- Harnett Correctional Institution SOP Chapter D .5900 (PREA, dated 10/16/2020)
- Harnett CI PREA Sexual Abuse Institutional Response Plan (dated 4/19/2020)
- NCDPS Specialized Investigations: Sexual Abuse and Harassment training curriculum
- NCDPS Harnett CI Incident Investigation Reports
- NCDPS Harnett CI Incident Investigation Reports Summary Report
- Investigation assignment and approval process reports
- PCM email assigning PSP and Investigator
- PREA Standards Compliance Checklist
- Harnett Correctional Institution Pre-Audit Questionnaire
- Interview with Investigators

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 479">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) and Harnett Correctional Institution Standard Operating Procedure Ch. D .5900 (PREA, dated 6/30/21, requires that when a facility investigates an allegation, the facility shall impose no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. The Preponderance of the evidence is a lesser standard of proof than, “beyond a reasonable doubt,” which is required to convict in a criminal trial. This standard is satisfied if the evidence shows that it is more probable than not that an event occurred.</p> <p data-bbox="229 479 1509 591">The investigators shared that when they conduct investigations, they seek the facts and make decisions and conclusions based on these facts. The Investigators routinely identify in their investigative reports if they make a decision based on the preponderance of evidence with further explanation.</p> <p data-bbox="229 591 1509 680">After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="229 680 1509 748">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="277 748 1509 1021" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution Standard Operating Procedure Ch. D .5900 (PREA, dated 6/30/21) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • NCDPS Harnett CI Incident Investigation Reports • NCDPS Harnett CI Incident Investigation Reports Summary Report

115.73	Reporting to inmates
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Harnett Correctional Institution Standard Operating Procedure Ch. D .5900 (PREA, dated 6/30/21 requires any inmate who makes an allegation that he or she suffered sexual abuse is informed in writing. Also, the policy contains the process for notifying offenders whether the allegation proves substantiated, unsubstantiated, or unfounded following an investigation. Notification shall be documented on Form OPA-I30 PREA Support Person Services. The policy further requires following an offender's allegation a staff member has committed sexual abuse against the offender, the facility informs the offender on Form OPA-I30 PREA Support Person Services unless the allegations are "unfounded" whenever the staff member is no longer posted within the offender's housing unit; the staff member is no longer employed at the facility; the staff member has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility. Following an offender's allegation that he or she has been sexually abused by another offender, the PSP shall subsequently inform the offender and document on Form OPA-I30 PREA Support Person Services unless the allegations are "unfounded" whenever the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. All such notifications or attempted notifications shall be documented. Obligation to report shall terminate if the offender is released from NC Department of Public Safety custody.</p> <p>Results of indictments or criminal convictions of Harnett CI staff that Lillington Police Department or Harnett County Sheriff's Investigators become aware of will be shared with the Warden. The PSP will then inform the offender whenever the facility learns the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.</p> <p>Interviews with the investigators and the PCM confirmed all investigation outcomes, whether the allegation proves substantiated, unsubstantiated, or unfounded following an investigation, are completed by the facility investigator and the documentation is maintained with the investigation. The PCM confirmed there were a total of ten (10) sexual abuse and harassment incidents over the past twelve months. Four (4) were sexual abuse incidents with three of four determined unsubstantiated or substantiated. One (1) incident was determined to be unfounded. Three (3) sexual abuse incidents were determined to be unsubstantiated requiring the PSP to complete Forms OPA-I30 and I30A informing the victim whenever any actions involving the alleged abuser has occurred as a result of an incident. After reviewing agency policy and procedures, information obtained through staff interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.73 (a, c, d, e) Corrective action is required.</p> <p>Corrective Action Recommendations: 1. Recommend PSPs receive additional training on the completion of required documents in sexual abuse allegations that have an outcome of substantiated or unsubstantiated findings. 2. Recommend completing the required documentation, Forms OPA-I30 and I30A for incidents that occur during the corrective action period to verify the process is institutionalized with facility procedures.</p> <p>Corrective action required and verification of corrective action since the on-site phase: During the corrective action period, the facility reported one sexual abuse investigation, and the facility PREA Compliance Manager provided the PREA Support Services form detailing the PREA Support Person responsibility of monitoring retaliation by conducting periodic status checks. The PREA Support form also recorded the inmates request for emotional support services provided by the local rape crisis center. The PREA Support Person form, form OPA-I30 was completed indicating the outcome of the investigation. The Support Person reviewed the outcome with the inmate and the inmate signed and dated acknowledging receipt. The corrections were made prior to the end of the 180-day corrective action period and the agency/facility is in full compliance of the standard.</p> <p>Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • Harnett Correctional Institution Standard Operating Procedure Ch. D .5900 (PREA, dated 6/30/21) • Harnett CI Investigations with Form OPA-130 (Support Services) • NCDPS PREA Support Services Status Notification Form OPA-130A • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Investigator • Interview with PCM and PSP

115.76	Disciplinary sanctions for staff
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1493 633">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), NCDPS-Prisons Policy J .0200 (Conduct of Employees, dated 2/9/21), Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) require that all disciplinary actions must be approved through Facility Head. Additionally, the policy requires that staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse. Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p data-bbox="242 663 1474 857">Staff who are terminated or who resign for a violation of the sexual abuse and sexual harassment policies shall be informed of the NCDPS's reporting the employment action to any relevant licensing bodies and to law enforcement agencies unless the activity was clearly not criminal. The policy also requires that the violation be reported to the NCDPS PREA Office and law enforcement if the violation is criminal in nature. All disciplinary sanctions are maintained in the employee's human resources office in accordance with procedures. Resigning prior to disciplinary procedures does not necessarily mean the employee will escape sanctions.</p> <p data-bbox="242 887 1493 1050">Interviews with the Warden, facility PCM, and Human Resources staff both reported that there had been no staff from Harnett CI who violated agency sexual abuse or sexual harassment policies in the past twelve (12) months. The facility reported a staff sexual misconduct incident that occurred outside of the past 12 months and in that case the staff resigned prior to the institution being informed of the incident. An incident report and investigation occurred, and the matter was referred to Lillington Police Department and to the relevant licensing body.</p> <p data-bbox="242 1079 1430 1140">After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="242 1169 1050 1198">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1249 1331 1476" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • NCDPS-Prisons Policy J .0200 (Conduct of Employees, dated 2/9/21) • Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Warden and facility PCM • Interview with Human Resources Staff

115.77	<p>Corrective action for contractors and volunteers</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), NCDPS-Prisons Policy E .3400 (Community Volunteer Program, dated 4/30/19), and Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) require that any contractor or volunteer who engages in sexual abuse shall be immediately prohibited from contact with offenders and shall be reported to law enforcement, unless the activity was clearly not criminal, and to relevant licensing bodies. In addition, this should also be reported to the NCDPS PREA Office. The facility should also take any appropriate remedial measures shall be considered whether to prohibit further contact with offenders in the case of any other violation of sexual abuse or sexual harassment policies. If an allegation of sexual abuse in which a volunteer or contracting agent is the alleged abuser is substantiated, the volunteer or contracting agent shall be terminated from the relationship with NCDPS.</p> <p>Interviews with the Warden and PCM both confirmed there were no situations in the past twelve (12) months where a volunteer or contractor was alleged to have violated the sexual abuse or sexual harassment policies and procedures. Just like employees, volunteers and contractors are required to sign the "PREA Acknowledgement Form" upon completion of their required training.</p> <p>After reviewing agency policy and procedures, staff and volunteer interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p>Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • NCDPS-Prisons Policy E .3400 (Community Volunteer Program, dated 4/30/19) • Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • PREA Acknowledgement Forms of volunteers/contractors • Volunteer Training Curriculum • Volunteer training attendance roster • Interview with Warden • Interview with PCM • Interview with Volunteers
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115.78	Disciplinary sanctions for inmates
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1490 562">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), NCDPS-Prisons Policy B .0200 (Offender Disciplinary Procedures, dated 11/3/20), Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) requires that an offender shall be subject to disciplinary sanctions pursuant to formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse or following a criminal finding of guilt for offender-on-offender sexual abuse. Requires that sanctions shall be commensurate with the nature and circumstances of the abuse committed, the offender's disciplinary history, and the sanctions imposed for comparable offenses by other offenders with similar histories. The disciplinary process should consider whether an offender's mental disabilities or mental health illness contributed to the offender's behavior when determining the type of sanction, if any, should be imposed.</p> <p data-bbox="242 595 1477 790">Policy also requires that if the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for any abuse, the facility should consider whether to require the offender to participate in such interventions as a condition of access to programming or other benefits. For the purpose of disciplinary action, policy requires that if a report of sexual abuse is made in good faith based upon a reasonable belief that the alleged conduct occurred, shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.</p> <p data-bbox="242 824 1477 949">Policy also prohibits disciplining an offender victim for sexual contact with staff unless a finding that the staff member did not consent to such contact. NCDPS-Prisons Policy B .0200 (Offender Disciplinary Procedures, dated 11/3/20) identifies that committing, soliciting, or inciting others to commit any sexual act or indecently exposing oneself, or touching the sexual or other intimate parts of oneself or another person for the purpose of sexual gratification as a Class A offense.</p> <p data-bbox="242 983 1490 1200">An interview with the Warden and Associate Warden explained that formal disciplinary hearings are held where appropriate sanctions are assigned. If necessary, consultation with mental health staff would take place prior to the hearing. The Warden shared that the offender can be sanctioned to restrictive housing, loss of sentence credits, extra duty, loss of privileges, limited trust fund withdrawals and demotion in custody. Criminal charges could also be considered. The PAQ and the Warden both reported that there had been zero (0) incidents of criminal findings of guilt for offender-on-offender sexual abuse that occurred in the facility as well as zero (0) administrative findings of offender-on-offender sexual abuse that occurred in the facility.</p> <p data-bbox="242 1234 1430 1294">After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="242 1328 1050 1357">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1406 1331 1601" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • NCDPS-Prisons Policy B .0200 (Offender Disciplinary Procedures, dated 8/10/2018) • Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with Warden and Associate Warden

115.81	Medical and mental health screenings; history of sexual abuse
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1493 763">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), NCDPS-Prisons Policy AD IV-1, Health and Wellness Services, Informed Consent dated 6/23/21, NCDPS-Prisons Policy AD IV-1-7, Health and Wellness Services, Behavioral Health Services dated 11/12/20, Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) stipulates that if offenders disclosed any prior sexual victimization during the screening for risk of victimization and abusiveness, whether it occurred in an institutional setting or in the community, staff is to ensure that the offender if offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. If the screening for risk of victimization and abusiveness indicates that a prison offender has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff is to ensure that the offender if offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening. Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Medical and mental health practitioners shall obtain informed consent from offenders before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the offender is under the age of 18.</p> <p data-bbox="242 797 1493 920">While onsite at the facility, intake screening staff demonstrated how the intake screening tool in the OPUS database is utilized. If, during the screening, an offender responds to certain questions in an affirmative manner, an automated referral is made to medical and/or mental health staff. All offenders who reported prior victimization received the follow up medical or mental health care.</p> <p data-bbox="242 954 1493 1312">Interviews with Medical and Mental Health staff and documentation reviewed, disclosed they complete their assessments in the Healthcare Electronic Record for Offenders (HERO) system. Mental Health staff also complete a Mental Health Assessment and Treatment Plan form, as well as informed consent disclosures and release of information forms. A variety of other admissions documentation is also completed during the offender's intake. When a referral is made as a result of an initial intake screening, Medical and Mental Health staff log appropriate information on the Medical or Mental Health Referral Log Sheet. When an offender is referred to Medical or Mental Health staff, they log the offender's name, the date of the referral, who made the referral, date they were seen by Medical or Mental Health staff and what the plan is for the that particular offender. Interviews with the Warden and the PCM confirmed there are no inmates under the age of eighteen (18) housed at the facility. After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="242 1346 1050 1375">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1424 1331 1787" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • NCDPS-Prisons Policy AD IV-1 Health and Wellness Services, Informed Consent dated 6/23/21 • Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • NCDPS Behavioral Health Services, Informed Consent for Outpatient Treatment Services • NCDPS Behavioral Health Services, Confidentiality and Privileged Information Form • NCDPS Clinical Encounter Inmate Report and Administrative Notes • Intake/Admission Screening Tools • Interview with Warden & PCM • Interview with Medical & Mental Health staff

115.82	Access to emergency medical and mental health services
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1477 562">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) and Health Services Policy and Procedure CP 18 (Clinical Practice Guidelines, dated 2/2014), Harnett Correctional Institution Standard Operating Procedure Chapter 5, Medical .1500, Sexual Assault of Offenders dated 5/24/21 requires inmate victims receive timely unimpeded access to emergency medical treatment and crisis intervention. Arrangements are to be promptly made to have the alleged offender-victim examined by medical services. Medical and Mental health staff document the timeliness of emergency medical treatment and crisis intervention services that are provided. Provisions of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis. Medical Services will ensure that an offender victim receives medical follow-up and is offered a referral for mental health services. All care for sexual abuse will be provided at no cost to the offender.</p> <p data-bbox="242 595 1490 790">An interview with the Emergency Room Charge Nurse, confirmed that Central Harnett Hospital SAFE/SANE staff provide emergency care and the forensic medical exam at no cost to the victim. SAFE of Harnett County, A Sexual Violence Resource Center has a Memorandum of Understanding to provide confidential emotional support services to the offenders at Harnett CI. In addition, a PREA Support Person, could also be made available to provide victim advocate services. Harnett CI has five (5) staff trained as PREA Support Persons (PSP) link services of community-based advocates or mental health professionals and provide confidential support to inmates who report sexual abuse and harassment.</p> <p data-bbox="242 824 1490 1048">Medical staff and mental health staff all report that any sexual abuse victim receives timely and unimpeded access to emergency medical treatment and crisis intervention services. Once medical staff learn of a sexual abuse, they act immediately. Medical staff assess and perform a visual exam on the victim offender for any life-threatening injuries that need immediate treatment prior to the victim offender being transported to the emergency department. Refusals for treatment by the victim offender will be handled in accordance with Health Services Policy. All treatment is documented in the offender's chart by means of the HERO software application system. Non-medical staff (First Responders) who learn of an allegation of sexual abuse are trained to follow the Coordinated Response Plan.</p> <p data-bbox="242 1081 1490 1171">After reviewing agency policy and procedures, staff and outside agency representative interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="242 1205 1050 1234">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1283 1477 1715" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • NCDPS-Prisons Health Services Policy and Procedure CP 18 (Sexual Abuse, dated 2/2014) • Harnett Correctional Institution Standard Operating Procedure Chapter 5, Medical .1500, Sexual Assault of Offenders dated 5/24/21 • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • NCDPS Behavioral Health Services, Informed Consent for Outpatient Treatment Services • NCDPS Behavioral Health Services, Confidentiality and Privileged Information Form • NCDPS Clinical Encounter Inmate Report and Administrative Notes • Interview with Medical and Mental Health staff • Interview with representative from Carolina East Medical Center • Interview with representative from SAFE of Harnett County • Interview with PREA Support Person

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1481 696">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), Health Services Policy and Procedure CP 18 (Clinical Practice Guidelines) dated 2/2014, NCDPS-Prisons Health Services Policy and Procedure CC-8 (After Care Planning for Inmates in Healthcare Services, dated 11/2007), and Harnett Correctional Institution Standard Operating Procedure Chapter 5, Medical .1500, Sexual Assault of Offenders dated 5/24/21 requires that the facility offer medical and mental health care for sexual abuse victims and abusers. When an offender victim is evaluated and treated, it should include follow-up services, treatment plans and referrals for follow-up care upon release, transfer, or placement in other facilities. The facility is required to provide such victims with medical and mental health services consistent with the community level of care. The policies require the facilities to offer follow-up treatment that may include screening, including follow-up care for sexually transmitted infections and other communicable diseases and any other counseling or assistance as requested. Requires treatment services to be free of financial cost regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Once an investigation has been completed and an offender has been determined to be an offender-on-offender abuser, within sixty (60) days, a mental health clinician will attempt to conduct an evaluation and offer treatment when deemed appropriate.</p> <p data-bbox="240 730 1485 987">Interviews with the medical staff confirmed that victims are offered a sexual assault assessment, individual counseling, referral to the psychiatrist, medications as ordered by the physician, laboratory testing for STD and HIV and follow-up. Victims of sexual abuse will be transported to Central Harnett Hospital to receive treatment and the physical evidence can be gathered by a certified SAFE/SANE medical examiner. The mental health staff interviews indicated their plan for services would include individual or group treatment, including trauma resolution and PTSD, as well as follow-up. Also, the mental health staff would conduct mental health evaluations of all known inmate-on-inmate abusers and offer treatment services within fourteen (14) days. Mental health staff also reported that all inmates receive a mental health evaluation during their first few weeks at the facility.</p> <p data-bbox="240 1021 1481 1115">Sexual abuse victims will be considered for referral of continued care at release from custody, in accordance with policy, NCDPS-Prisons Health Services Policy and Procedure CC-8 (After Care Planning for Inmates in Healthcare Services, dated 11/2007).</p> <p data-bbox="240 1149 1430 1205">After reviewing agency policy and procedures, staff interviews, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="240 1238 1050 1265">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1317 1485 1711" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • NCDPS-Prisons Health Services Policy and Procedure CP 18 (Sexual Abuse, dated 2/2014) • NCDPS-Prisons Health Services Policy and Procedure CC-8 (After Care Planning for Inmates in Healthcare Services, dated 11/2007). • Harnett Correctional Institution Standard Operating Procedure Chapter 5, Medical .1500, (Sexual Assault of Offenders dated 5/24/21) • NCDPS Behavioral Health Services, Informed Consent for Outpatient Treatment Services Form • NCDPS Behavioral Health Services, Confidentiality and Privileged Information Form • NCDPS Clinical Encounter Inmate Report and Administrative Notes • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interviews with Medical & Mental Health Staff

Auditor Overall Determination: Meets Standard

Auditor Discussion

NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) and Harnett Correctional Institution Standard Operating Procedure Chapter D .5900 (PREA, dated 6/30/21) requires that a Post Incident Review/sexual abuse incident review for all substantiated and unsubstantiated allegations of sexual abuse. The review is to be completed within thirty (30) days of the conclusion of any sexual abuse investigation. The review process involves staff from upper management officials, investigators, medical or mental health practitioners and the PCM. The review team is tasked with reviewing the situation and consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status or perceived status; or gang affiliation; or motivated or otherwise caused by other group dynamics in the facility; examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during the different shifts; and assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. Policy also requires completion of a written report of its findings that includes any recommendations for improvement and any reasons recommendations were not implemented.

Members of the Post Incident Review committee at Harnett CI include the Warden, Assistant Warden, Psychological Program Manager, Correctional Assistant Warden for Programs, Investigator and the PCM, Mental Health staff, an Investigator and the PCM. Based on a PIR dated 2020, the auditor recommended the facility add medical staff to the post incident review committee. The facility PCM sent the auditor an updated record of the post incident review committee specifying medical staff. Based on the additional documentation, the facility resolved the recommendation.

During the PIR process, a brief summary of the incident is shared, discussion about those things that went well during the process and those that did not. Recommendations and corrective action are also considered when reviewing incident reports. All components of the standard are considered during the PIR with discussion on each. The PIR is documented on the Post Incident Report (PIR) Form OPA-110 and signed by the committee members.

The PCM confirmed there had been a total of ten (10) sexual abuse and harassment incidents over the past twelve months. Four (4) incidents were sexual abuse incidents with three of four were determined unsubstantiated or substantiated. One (1) incident was determined to be unfounded. All three (3) sexual abuse incidents were determined to be unsubstantiated requiring a post incident review which none of the three (3) PIR forms were completed within thirty (30) days of the conclusion of any sexual abuse investigation.

After reviewing agency policy and procedures, information obtained through staff interviews, review of additional documentation and observations made during the onsite portion of the audit, this auditor finds the facility is not fully compliant with all provisions of the standard. Specifically, provisions 115.86 (a, b, c, d, e). required corrective action.

Corrective Action Recommendations: 1. Recommend the facility add to the review committee an upper-level management official such as the medical nurse supervisor. 2. Recommend completion of a SIR on future sexual abuse incidents determined unsubstantiated or substantiated within thirty (30) days of the conclusion of any sexual abuse investigation and submit the SIR to the auditor for review.

Corrective action required and verification of corrective action since the on-site phase: During the corrective action period, the facility Compliance Manager provided the auditor a word document identifying key PREA personnel indicating committee members to include upper-level management officials including the medical nurse supervisor. The PREA Compliance Manager provide the auditor with the sexual incident review of the one sexual abuse allegation occurring during the corrective action period. The corrections were made prior to the end of the 180-day corrective action period and the agency/facility is in full compliance of the standard.

Policy and Supporting Documents Reviewed, Interviews and Observations:

- NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19)
- PREA Post Incident Review
- PREA Standards Compliance Checklist
- Harnett Correctional Institution Pre-Audit Questionnaire
- Interview with PIR team members (Warden, Assistant Warden, Psychological Program Manager, Correctional Assistant Warden for Programs, Investigator and the PCM)
- PREA Personnel Committee Members word document
- Post Incident Report (PIR) Form OPA-110

115.87	Data collection
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 208 451 237">Auditor Discussion</p> <p data-bbox="242 271 1490 562">Review of NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) indicates the policy addresses the standard by requiring collection of accurate, uniform data for every allegation of sexual abuse at every facility under its direct control and also from contractors who house NCDPS offenders using a standardized instrument and set of definitions and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. The agency requires uniform data for every allegation of sexual abuse to be documented in OPUS by all NCDPS facilities. The policy requires that the incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. The agency is required to provide all such data from the previous calendar year to the US Department of Justice no later than June 30 of each year.</p> <p data-bbox="242 595 1490 853">Review of the NCDPS-Prisons Harnett Correctional Institutional Standard Operating Procedures, Section J) RECORD RETENTION: (1) All written investigation reports will be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five years; or sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise, whichever is greater. (2) Accurate, uniform data for every allegation of sexual abuse shall be documented in OPUS; (A) The agency shall aggregate the incident-based sexual abuse data at least annually; (B) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice; (C) Ensure that data is securely retained.</p> <p data-bbox="242 887 1490 1077">A written summary of an interview with the PREA Director conducted by certified auditor earlier in the audit cycle was reviewed. The summary review allowed this auditor to verify that the PREA Director ensures the agency maintains, reviews, and collects data needed from all available incident-based documents, including reports, investigation files and sexual abuse incident reviews. The data collected was sufficient and allowed the agency to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. The information gained is published on the agency website annually.</p> <p data-bbox="242 1111 1430 1167">After reviewing agency policy, facility operating procedure, and information gained through the interview with the PREA Coordinator and review of the Annual Reports and SSV, the auditor finds this standard in compliance.</p> <p data-bbox="242 1200 1050 1229">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 1279 1251 1576" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • NCDPS-Prisons Harnett Correctional Institutional Standard Operating Procedures • NCDPS-Website • 2019, 2020 Annual Sexual Abuse Report • 2019, 2020 Survey of Sexual Violence • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • NCDPS Institutional Incident Summary • Interview with PREA Program Coordinator

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1485 499">NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), requires the agency to collect and review data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training by identifying problem areas, taking corrective action, and preparing an annual report of its findings and corrective actions for each facility and the agency as a whole. The annual report includes a comparison of the current year's data and corrective actions with those from prior years and provides an assessment of the agency's progress in addressing sexual abuse. The agency redacts specific material from the reports when publication would present a clear and specific threat to facility safety. The annual reports are made available to the public on the NCDPS website.</p> <p data-bbox="240 528 1469 723">A written summary of an interview with the PREA Director conducted earlier in the audit cycle was reviewed. The summary review allowed this auditor to verify that the PREA Director reviews the collected and aggregated data, a comparison is conducted and an assessment of the agency's progress in addressing sexual abuse. The PREA Director is responsible for gaining the signatures of the NCDPS Secretary and ensuring the annual report is placed on the agency website. After reviewing agency policy, information gained through the interview with the PREA Director and review of additional documentation, the auditor finds this standard compliant.</p> <p data-bbox="240 752 1050 781">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 831 1251 1025" style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • NCDPS-Website-PREA Information • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with PREA Director • 2019, 2020 Annual Sexual Abuse Report

115.89	<p>Data storage, publication, and destruction</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19), requires the agency ensures that data collected of allegations of sexual abuse is securely retained, and makes information readily available to the public through an annual report on its website. Prior to making the report public, personal identifiers should be removed. NCDPS-Prisons policy requires that the sexual abuse data collected be retained for at least 10 years after the date of initial collection, unless federal, state, or local law requires otherwise.</p> <p>Review of the NCDPS-Prisons Harnett Correctional Institutional Standard Operating Procedures, Section J) RECORD RETENTION: (1) All written investigation reports will be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five years; or sexual abuse data collected for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise, whichever is greater. (2) Accurate, uniform data for every allegation of sexual abuse shall be documented in OPUS; (A) The agency shall aggregate the incident-based sexual abuse data at least annually; (B) The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice; (C) Ensure that data is securely retained.</p> <p>A written summary of an interview with the PREA Director conducted earlier in the audit cycle was reviewed. The agency ensures collected data is securely retained in the OPUS or TROY data systems and is there indefinitely. Personal identifiers are removed.</p> <p>After reviewing agency policy, information gained through the interview with the PREA Director and review of additional documentation, the auditor finds the facility in compliance with the standard.</p> <p>Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul style="list-style-type: none"> • NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) • OPUS: Incident Management System (Web based) User Manual • NCDPS-Website-PREA Information • PREA Standards Compliance Checklist • Harnett Correctional Institution Pre-Audit Questionnaire • Interview with PREA Director • 2019, 2020 Annual Sexual Abuse Report
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115.401	<p data-bbox="229 69 1509 1279">Frequency and scope of audits</p> <p data-bbox="229 1279 1509 1312">Auditor Overall Determination: Meets Standard</p> <p data-bbox="229 1312 1509 1346">Auditor Discussion</p> <p data-bbox="229 1346 1509 1592">The NCDPS Website (NC DPS: Prison Rape Elimination Act) contains PREA audit reports from the first, second and third PREA Audit cycles. The first PREA Audit Cycle was from August 2013-August 2016 with a total of forty-six (46) audits reports being placed on the website. The second PREA Audit Cycle was from August 2016-August 2019 with seventy-seven (77) audit reports being completed. The third PREA Audit Cycle is current and began August 2019-August 2022. There were 14 audits completed the first year of the third PREA Audit Cycle (August 2019-August 2020). There were 18 audits completed the second year of the third PREA Audit Cycle (August 2020-August 2021) The NCDPS has a total of sixty-nine (69) facilities (55 prisons, 10 juvenile facilities and 4 community confinement facilities). After completing a comparison, each facility had been audited at least once during the most recent second cycle. The website also contained NCDPS Sexual Abuse Annual Reports.</p> <p data-bbox="229 1592 1509 1659">Harnett CI was one of the facilities scheduled during the first year of PREA Audit Cycle three. Previous certified PREA audits at Harnett CI occurred on August 26, 2018, Audit Cycle 2, Year 2, and April 14, 2016, in Audit Cycle 1, Year 3. While at Harnett CI, the auditor was allowed access to all areas of the facility. The facility provided any documentation this auditor requested without hesitation. The staff and offender interviews were able to be held in a comfortable, private area.</p> <p data-bbox="229 1659 1509 1727">During the audit tour, the auditor observed pre-audit notices posted throughout every area of the facility. The notices were posted November 1, 2021, with photos and locations of the posting being sent in an email. The notices included an address of where offenders were permitted to send confidential correspondence to the auditor in the same manner as sending legal mail to the courts or legal.</p> <p data-bbox="229 1727 1509 1794">After reviewing agency policy and procedures, information obtained through documentation review and observations made during the onsite portion of the audit, this auditor finds this standard in compliance.</p> <p data-bbox="229 1794 1509 1827">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="229 1827 1509 1917" style="list-style-type: none"> <li data-bbox="229 1827 1509 1861">• NCDPS-Prisons Policy F .3400 (Inmate Sexual Abuse and Sexual Harassment, dated 8/12/19) <li data-bbox="229 1861 1509 1895">• PREA Standards Compliance Checklist <li data-bbox="229 1895 1509 1928">• Harnett Correctional Institution Pre-Audit Questionnaire <li data-bbox="229 1928 1509 1962">• NCDPS Website <li data-bbox="229 1962 1509 1995">• NCDPS Sexual Abuse Annual Reports
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115.403	Audit contents and findings
	<p data-bbox="244 147 740 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="244 210 451 237">Auditor Discussion</p> <p data-bbox="244 273 1493 465">The auditor reviewed the North Carolina Department of Public Safety (NCDPS) web page at https://www.ncdps.gov/Adult-Corrections/Prison-Rape-Elimination-Act containing the PREA audit reports for both the first and second PREA review cycle. The first PREA audit review cycle had forty-three (43) PREA audit reports completed from August 2013 – August 2016. The second PREA audit review cycle had seventy-seven (77) PREA audit reports completed from August 2016 through August 2019. The third PREA Audit cycle began August 2019 and goes through August 2022. To date, twenty-eight (28) Final Audit Reports were placed on the website.</p> <p data-bbox="244 497 1406 555">After reviewing agency policy and procedures and a review of the agency's website this auditor finds this standard in compliance.</p> <p data-bbox="244 586 1050 613">Policy and Supporting Documents Reviewed, Interviews and Observations:</p> <ul data-bbox="284 667 475 694" style="list-style-type: none"> • NCDPS Website

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

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

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

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

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

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

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

115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

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

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

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

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

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

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

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

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

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

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

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

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

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	no
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

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

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

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

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

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

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	na
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	yes
115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

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

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

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