

PREA Facility Audit Report: Final

Name of Facility: Merrimac Juvenile Detention Center

Facility Type: Juvenile

Date Interim Report Submitted: NA

Date Final Report Submitted: 09/07/2022

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: Johnitha Rothell McNair	Date of Signature: 09/07/2022

AUDITOR INFORMATION	
Auditor name:	McNair, Johnitha
Email:	johnitha@comcast.net
Start Date of On-Site Audit:	07/19/2022
End Date of On-Site Audit:	07/20/2022

FACILITY INFORMATION	
Facility name:	Merrimac Juvenile Detention Center
Facility physical address:	9300 Merrimac Trail, Williamsburg, Virginia - 23185
Facility mailing address:	

Primary Contact	
Name:	William Orris
Email Address:	worris@merrimac-center.net
Telephone Number:	17578870225

Superintendent/Director/Administrator	
Name:	Gina Mingee
Email Address:	gmingee@merrimac-center.net
Telephone Number:	7578870225

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

Facility Health Service Administrator On-Site	
Name:	Cheryl Pierce
Email Address:	cpierce@merrimac-center.net
Telephone Number:	17578870225

Facility Characteristics	
Designed facility capacity:	48
Current population of facility:	24
Average daily population for the past 12 months:	28
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	7-20 years of age
Facility security levels/resident custody levels:	Maximum Security/ High, Medium, Low Risk, PRE, CPP and Post Disposition
Number of staff currently employed at the facility who may have contact with residents:	59
Number of individual contractors who have contact with residents, currently authorized to enter the facility:	3
Number of volunteers who have contact with residents, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	Middle Peninsula Juvenile Detention Commission
Governing authority or parent agency (if applicable):	
Physical Address:	9300 Merrimac Trail, Williamsburg, Virginia - 23185
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	William Orris	Email Address:	worris@merrimac-center.net

SUMMARY OF AUDIT FINDINGS	
<p>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.</p> <p>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.</p>	
Number of standards exceeded:	
0	
Number of standards met:	
43	
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:	2022-07-19
2. End date of the onsite portion of the audit:	2022-07-20

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:	I attempted to make contact with the Avalon Center on three occasions and was not able to reach administrative staff.

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	48
15. Average daily population for the past 12 months:	28
16. Number of inmate/resident/detainee housing units:	4
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" 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:	21
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	1
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0

41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	0
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:	0
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:	0
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:	0
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:	1
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:	0
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:	58
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:	5
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:	No text provided.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	10
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 checked="" 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 checked="" type="checkbox"/> Gender <input checked="" type="checkbox"/> Other <input type="checkbox"/> None
If "Other," describe:	I always consider physical and mental/functional disabilities as well as those detained or confined for the first time.
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	I used the roster and discussed my selection with the PREA Coordinator.
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:	1
<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:	0

<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>I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</p>
<p>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:</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>I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</p>
<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>I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</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>I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</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>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>I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</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>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>I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</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>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>I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</p>
<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>1</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>Although the agency reports they do not use isolation, I reviewed the roster, observed interactions during the facility tour, reviewed the file of every resident in the facility, and spoke with the PREA Coordinator and the Executive Director.</p>

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.
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Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	13
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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 checked="" type="checkbox"/> Rank (or equivalent) <input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
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If "Other," describe:	I made sure to speak with a diverse population of staff and inquired about specific staff who were bilingual.
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73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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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):	No text provided.
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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):	17
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76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p> <input type="radio"/> Yes <input type="radio"/> No <input checked="" 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>
<p>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</p>	<p> <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 checked="" 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 type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches <input checked="" type="checkbox"/> Administrative (human resources) staff <input 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 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 type="checkbox"/> Other </p>
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>

82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	01
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input checked="" type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
83. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

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

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<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
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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).	No text provided.
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Documentation Sampling

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

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.).	No text provided.
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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	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	0	0	0

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	2	0	2	0
Staff-on-inmate sexual harassment	3	0	3	0
Total	5	0	5	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

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

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	2	0	0
Staff-on-inmate sexual harassment	0	3	0	0
Total	0	5	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	0
a. Explain why you were unable to review any sexual abuse investigation files:	It was reported by the PREA Coordinator and the Executive Director that there were no Sexual Abuse Investigations during this audit period.
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> 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:	0
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)

<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>5</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>2</p>
<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual 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>3</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</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual 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</p> <p><input type="radio"/> No</p> <p><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</p> <p><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</p> <p><input checked="" type="radio"/> No</p>
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AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

- The audited facility or its parent agency
- My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)
- A third-party auditing entity (e.g., accreditation body, consulting firm)
- Other

Standards

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.

115.311	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 757">Merrimac Juvenile Detention Center (MJDC) Policy - Chapter 9 (Prison Rape Elimination Act – PREA) – Section 9.1 Zero Tolerance of Sexual Abuse and Sexual Harassment details the Agency’s approach to implementing the Federal PREA standards; the policy mandates zero tolerance of all forms of sexual abuse and sexual harassment and requires the designation of a PREA Coordinator. The policy states who may be designated as the PREA coordinator. The agency has one facility and has designated a PREA Coordinator to oversee efforts of compliance with the Federal PREA Standards. The PREA Coordinator is the QA/Operations Manager. The QA/Operations Manager has also held a DOJ certification as a PREA Auditor for juvenile facilities. The QA/Operations Manager reports to the Executive Director who is the Agency Head. In addition to the duties of the PREA Coordinator, the QA/Operations Manager oversees facility quality assurance and all compliance efforts. The current supervisory structure supports the agency’s efforts to comply fully with the PREA standards. The PREA Coordinator confirmed through the interview process that there is sufficient time and authority to develop, implement, and oversee efforts to comply with the Federal PREA standards. Sections 9.2, 9.3, and 9.4 provides the required PREA definitions and outlines the agency’s guidelines and procedures for preventing, detecting, and responding to sexual abuse and sexual harassment. Included in the policy are the sanctions for those found to have participated in prohibited behaviors Sections 9.20 and 9.21.</p> <p data-bbox="229 757 1509 792">Evidence relied upon to make the determination:</p> <ul data-bbox="229 792 1509 1034" style="list-style-type: none"> <li data-bbox="229 792 1509 828">• MJDC PREA Policy <li data-bbox="229 828 1509 864">• MJDC Organizational Chart <li data-bbox="229 864 1509 900">• Interview with PREA Coordinator <li data-bbox="229 900 1509 1034">• Interview with Agency Head/designee

115.312	Contracting with other entities for the confinement of residents
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Merrimac Juvenile Detention Center does not contract with other detention centers for the confinement of its residents.

115.313	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1489 763">The facility presented the annual staffing plan which demonstrate the agency’s protocol to address current staffing, possible changes to staffing, and future staffing determinations with consideration given to physical plant as well as past, present, and anticipated resident populations. Further, policy outlines the agency’s approach to complying with supervision and monitoring. In addition to direct supervision of residents, the facility is equipped with a video monitoring system that supplements supervision and supports efforts to protect residents from sexual abuse and sexual harassment. The system is equipped with video and audio capabilities. The auditor was able to observe staff postings during waking and sleeping hours, as well as the use of the camera system to supplement supervision and monitoring. Policy requires upper-level staff to conduct unannounced rounds to prevent, identify, and deter sexual abuse and sexual harassment. The rounds are documented, reviewed and maintained by the facility. A physical review of documentation, video and staff interviews confirmed the practice of conducting unannounced rounds. Designated administrators conduct and document unannounced rounds on all shifts as reflected in facility documentation and captured on video. The auditor reviewed previous unannounced rounds that were documented. The review of a random sampling of these rounds supported compliance with the standard. Facility operations, including supervision and monitoring of residents, were observed by the auditor on all shifts. Review of documentation, physical observations by the auditor and interviews of staff confirm that MJDC maintains the required staffing ratio of 1:8 during waking hours and a minimum ratio of 1:16 during sleeping hours.</p> <p data-bbox="242 795 766 822">Evidence relied upon to make auditor determination:</p> <ul data-bbox="242 853 898 1052" style="list-style-type: none"> <li data-bbox="242 853 523 880">• MJDC PREA Policy <li data-bbox="242 911 636 938">• MJDC Pre-Audit Questionnaire <li data-bbox="242 969 810 996">• Review of Unannounced Rounds documentation <li data-bbox="242 1028 898 1055">• Observations made during the on-site portion of the audit

115.315	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 453 237">Auditor Discussion</p> <p data-bbox="240 271 1493 931">Policy Chapter Five - Supervision of Juveniles outlines that on each shift when male and or female juveniles are being housed, there shall be a same sex counselor on duty, awake and engaged in actively supervising the juveniles, this includes supervising the juveniles during daily activities, special events or volunteer programs. Policy further states, only same gender staff may conduct strip searches, or supervise bathing, dressing or use of toilet facilities. This restriction does not apply to medical personnel conducting medical procedures, routine room checks or in unusual circumstances when a response to a serious threat to life and safety occurs. Any time a staff member enters a housing unit of residents of the opposite gender, they announce their presence as they enter the unit. When a staff member of the opposite sex makes a room check, the Control Room staff will document the rooms checked, the time of the check, and the staff member making the check. In the event the cameras are obstructed in Special Purpose Cells and the Control Room are unable to view the resident the privacy blinds may be raised to view the resident. If the privacy blinds in the Control Room must be raised the Supervisor on Duty will be informed and the check will be documented. The "Knock and Announce" rule will apply in this situation to allow the resident to cover him or herself up. At no time shall staff search or physically examine a transgender or intersex resident for the sole purpose of determining the resident's genital status. Staff who perform pat down and strip searches are trained in how to conduct searches of transgender and intersex residents in a professional and respectful manner and in the least intrusive manner possible, consistent with the security needs of the facility. Policy provides additional guidance as to the respectful and dignified management of residents who identify as transgender and intersex; including proper searches, management expectations, and classification of those residents. During the past 12 months, there were no cross-gender strip or visual body cavity searches and no cross-gender pat-down searches of residents. Interviews with residents and staff confirm compliance with agency policy and procedures. Further observations during the tour of the facility confirmed the practice of the cross-gender announcement.</p> <p data-bbox="240 965 767 992">Evidence relied upon to make auditor determination:</p> <ul data-bbox="240 1021 898 1335" style="list-style-type: none"> <li data-bbox="240 1021 687 1048">• MJDC Policy Chapter 5 Supervision <li data-bbox="240 1077 632 1104">• MJDC Policy Chapter 9 PREA <li data-bbox="240 1133 552 1160">• MJDC Updated SOP's <li data-bbox="240 1189 639 1216">• MJDC Pre-Audit Questionnaire <li data-bbox="240 1245 738 1272">• Review of MJDC Training documentation <li data-bbox="240 1301 898 1328">• Observations made during the on-site portion of the audit

115.316	<p data-bbox="229 69 1509 1272">Residents with disabilities and residents who are limited English proficient</p> <p data-bbox="229 1272 1509 1317">Auditor Overall Determination: Meets Standard</p> <p data-bbox="229 1317 1509 1361">Auditor Discussion</p> <p data-bbox="229 1361 1509 824">Prison Rape Elimination Act – Chapter 9 establishes procedures to provide disabled residents and residents with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The policy requires that residents with disabilities or residents with limited English proficiency are provided information that is appropriately conveyed to them, and that the information provided covers all aspects of the facility’s efforts to prevent, protect, and respond to sexual abuse and sexual harassment. MJDC policy states MJDC shall not rely on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident’s safety, the performance of first-response duties under § 115.364, or the investigation of the resident’s allegations. Interviews with staff confirmed that this is the practice. In the past 12 months, there have been no instances where resident interpreters, readers, or other types of resident assistants have been used and it was not the case that an extended delay in obtaining another interpreter could compromise the resident’s safety, the performance of first-response duties under §115.364, or the investigation of the resident’s allegations. Interviews with residents supported that the facility avoids the use of resident interpreters or readers. In the past 12 months the facility has no residents with a physical disability, two residents with limited English proficiency, and 48 residents who were determined to have a functional disability which included those residents with intellectual or psychiatric disabilities and speech disabilities. Resident interviews supported the assertion that the facility does not use resident assistants and there were no instances of resident interpreters or readers being used in the past 12 months.</p> <p data-bbox="229 824 1509 869">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 869 1509 1272" style="list-style-type: none"> <li data-bbox="229 869 1509 913">• MJDC PREA Policy <li data-bbox="229 913 1509 958">• PREA Training document <li data-bbox="229 958 1509 1003">• Review of MJDC Posters in English and Spanish <li data-bbox="229 1003 1509 1048">• Review of MJDC Language Services documentation <li data-bbox="229 1048 1509 1093">• Observations made during the on-site portion of the audit <li data-bbox="229 1093 1509 1137">• Interviews with Staff <li data-bbox="229 1137 1509 1182">• Interviews with Residents
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115.317	<p>Hiring and promotion decisions</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Policy dictates the agency shall not hire or promote anyone who may have contact with residents, and shall not enlist the services of any contractor who may have contact with residents, who (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section. Files of persons hired or promoted in the past 12 months were reviewed to determine whether proper criminal record background checks have been conducted and questions regarding past conduct were asked and answered. In the past 12 months MJDC has hired seven staff who may have contact with residents and all seven have had criminal background records checks completed. Policy also requires consulting with child abuse registries before hiring or enlisting services of any contractor who has contact with residents. In the past 12 months there have been three contracts for services where criminal background records checks were conducted. In keeping with the requirements of the standards policy requires criminal background checks to be conducted every five years or have in place a system for otherwise capturing such information for current employees. Prior to the consideration of hiring or promotion of an applicant, the applicant must answer all questions on the PREA Employment Disclosure document. Additionally, prior to hiring or promoting, the applicant or staff is informed that material omissions regarding misconduct, or the provision of materially false information, shall be grounds for termination. The agency requires all contractors and volunteers to undergo and clear the background checks process prior to service provision. Interviews with staff and Human Resources Manager, as well as the review of hiring documentation and personnel records including hiring and promotion decisions confirm compliance with this standard.</p> <p>Evidence relied upon to make auditor determination:</p> <ul style="list-style-type: none"> • MJDC PREA Policy • Review of MJDC Contract for Services • MJDC Pre-Audit Questionnaire • Review of MJDC PREA Employment Disclosure • Review of personnel records • Interviews with Staff
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115.318	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 453 237">Auditor Discussion</p> <p data-bbox="244 271 1474 465">115.318 – Merrimac Juvenile Detention Center has not acquired a new facility or made any substantial expansions or modifications to the existing facility since August 20, 2012. The agency has made upgrades to the video monitoring system, and electronic surveillance system. The new system allows the agency to monitor sight and sound of facility evolutions and incidents, when necessary. Designated staff can access the system, playback video, and record video as necessary. Changes to the system were made because of the agency’s consideration of how the changes would enhance its ability to protect residents from sexual abuse.</p> <p data-bbox="244 495 772 524">Evidence relied upon to make auditor determination:</p> <ul data-bbox="244 553 879 748" style="list-style-type: none"> <li data-bbox="244 553 619 582">• MJDC Pre-Audit Questionnaire <li data-bbox="244 611 879 640">• Observations made during the on-site portion of the audit <li data-bbox="244 669 775 698">• Interview with Agency Head/Executive Director <li data-bbox="244 728 639 757">• Interview with PREA Coordinator

115.321	<p>Evidence protocol and forensic medical examinations</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The facility does not conduct criminal sexual abuse investigations. Upon knowledge of any allegation of sexual abuse or sexual harassment the facility takes immediate action to provide for safety and security of residents and begins an administrative investigation. James City County Police Department has responsibility for conducting all criminal investigations, including those related to sexual harassment and sexual abuse. James City County Police is responsible for investigating allegations of sexual abuse. They follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecution policy requires that all residents who experience sexual abuse are offered access to forensic medical examinations. The policy also requires that where possible the forensic examinations are conducted by a Sexual Assault Forensic Examiner (SAFE) or a Sexual Assault Nurse Examiner (SANE). When a SAFE or SANE is not available a qualified medical practitioner performs forensic medical examinations. Efforts to provide access to a SAFE or SANE are documented by the facility. The facility ensures that resident victims have access to these services at no cost to the victim. There have been no forensic medical exams conducted during this reporting period. The facility ensures that each resident victim of sexual abuse is provided with a qualified victim advocate or qualified staff member for advocacy services that include but are not limited to accompaniment to forensic examinations and investigatory interviews. The advocate or staff member will provide emotional support, crisis intervention services, information, and referrals as needed. Two staff have received specialized training to assist in advocacy for victims.</p> <p>Evidence relied upon to make auditor determination:</p> <ul style="list-style-type: none"> • MJDC PREA Policy • Memorandum of Understanding with James City County Police Department • Memorandum of Understanding with Riverside Health System • Interviews with staff • Interview with PREA Coordinator • Pre-Audit Questionnaire
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115.322	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 591">MJDC ensures that all allegations of sexual abuse and sexual harassment are administratively investigated and criminally investigated as appropriate. The PREA Policy requires the immediate referral of all sexual abuse allegations unless the allegation does not involve potentially criminal behavior. Criminal allegations are referred to James City County Police Department. In the past 12 months, MJDC had five allegations of sexual harassment investigated. There were no allegations referred for criminal investigation. Further, the agency’s policy regarding the referral of allegations of sexual abuse or sexual harassment for a criminal investigation is published on the agency website at: www.merrimac-center.net/PREA. The agency documents all referrals of allegations of sexual abuse or sexual harassment for criminal investigation. Interviews with the Executive Director, Assistant Director, PREA Coordinator and other staff confirmed their knowledge and understanding of, as well as their compliance with the policy’s requirements.</p> <p data-bbox="229 591 1509 631">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 631 1509 981" style="list-style-type: none"> <li data-bbox="229 631 1509 672">• MJDC PREA Policy <li data-bbox="229 672 1509 712">• MJDC Pre-Audit Questionnaire <li data-bbox="229 712 1509 752">• www.merrimac-center.net/PREA <li data-bbox="229 752 1509 792">• Interview with PREA Coordinator <li data-bbox="229 792 1509 833">• Interview with Agency Head/Executive Director <li data-bbox="229 833 1509 873">• Interview with Investigative staff

115.331	Employee training
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1497 864">Policy details the agency's requirements for staff development and training. The training curriculum, staff training records and staff interviews indicate that staff receive PREA training during staff orientation and annually during refresher training. The training curriculum provided covered: the agency's zero-tolerance policy, fulfilling responsibilities related to preventing, detecting, reporting, and response procedures; resident's rights to be free from sexual abuse and sexual harassment; the rights of residents and employees to be free from retaliation for reporting sexual abuse or sexual harassment; the dynamics of sexual abuse and harassment in juvenile facilities; the common reactions of sexual abuse and sexual harassment victims; detecting and responding to signs of actual and threatened sexual abuse; avoiding inappropriate relationships with residents; communicating professionally and respectfully with residents, including those residents who are lesbian, gay, bisexual, transgender, intersex and gender non-conforming residents; how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities; and relevant laws regarding the applicable age of consent. The training is tailored to the unique needs and attributes of the residents at the facility. All employees are provided training specific to the requirements and resident population of MJDC. The training addressed all elements of the standard. All employees receive the training, regardless of their previous experience. All employees, contract staff, volunteers, and interns receive instruction related to the prevention, detection, response, reporting, and investigation of sexual assault. All employees receive this training as part of their orientation training. All employees and volunteers with resident contact will receive annual training. The agency ensures that employees, volunteers, and contractors who may have contact with residents understand the training they have received through employee signature. Training records, the training curriculum, and staff interviews verified that staff had received training and understood their responsibilities related to complying with the PREA standards.</p> <p data-bbox="240 898 767 925">Evidence relied upon to make auditor determination:</p> <ul data-bbox="240 954 815 1267" style="list-style-type: none"> <li data-bbox="240 954 523 981">• MJDC PREA Policy <li data-bbox="240 1010 815 1037">• MJDC PREA Power Point and Training Materials <li data-bbox="240 1066 655 1093">• MJDC Policy Review Document <li data-bbox="240 1122 639 1149">• MJDC Pre-Audit Questionnaire <li data-bbox="240 1178 528 1205">• Interviews with staff <li data-bbox="240 1234 655 1261">• Interview with PREA Coordinator

115.332	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 453 237">Auditor Discussion</p> <p data-bbox="244 271 1485 533">MJDC PREA Policy requires that all contractors and volunteers who may have contact with residents receive PREA training. The policy requires that this training is provided annually. The volunteers sign a form acknowledging the receipt of training and their understanding of the agency's zero-tolerance policy. Volunteers are provided information which outlines their responsibilities and expectations including responsibilities related to PREA. They are required to review the PREA policy and are given the opportunity to ask questions about the information provided. Five contractors, who have contact with residents, have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response. MJDC maintains documentation confirming that those volunteers and contractors have received and understand the training provided.</p> <p data-bbox="244 562 767 591">Evidence relied upon to make auditor determination:</p> <ul data-bbox="244 620 967 878" style="list-style-type: none"> <li data-bbox="244 620 456 649">• MJDC Policy <li data-bbox="244 678 967 707">• MJDC Professional Communications and Boundaries document <li data-bbox="244 736 794 766">• Auditor review of PREA training for contractors <li data-bbox="244 795 756 824">• MJDC LGBTI Awareness training overview <li data-bbox="244 853 639 882">• MJDC Pre-Audit Questionnaire

115.333	Resident education
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1492 965">MJDC PREA Policy requires all new residents receive verbal and written information related to sexual abuse and sexual harassment during the intake orientation. Policy requires the information to include: the agency's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse and sexual harassment. Intake staff reviews the information with the residents and residents sign verifying receipt of the information. The procedures further require that residents receive additional information within ten days of intake. This information includes residents' rights to be free from sexual abuse and sexual harassment, their right to be free from retaliation for reporting incidents and, the agency's policies and procedures related to responding to incidents of sexual abuse and sexual harassment. Documentation demonstrating residents received the information is maintained by the facility. Files for each resident currently housed at the facility were physically inspected and reviewed by the auditor to confirm that residents received resident education and required follow-up education, as well as the practice of maintaining resident acknowledgement and signatures. Further confirmation was received during resident and staff interviews. Residents interviewed acknowledged they had received this information the same day they arrived at the facility and periodically thereafter. The PREA information is presented in a manner that is accessible to all residents; it is comprehensive and age appropriate. During the facility tour the auditor observed the presence of PREA posters and reporting instructions posted throughout the facility. The facility has access to interpreting and translation services for residents with limited English proficiency and those residents who may have hearing or visual impairments. 182 residents admitted during the past 12 months received this information at intake. 182 residents admitted in the past 12 months received comprehensive age-appropriate education on their rights to be free from sexual abuse and sexual harassment, from retaliation for reporting such incidents, and on agency policies and procedures for responding to such incidents within ten days of intake. The records review, observations made during the tour and throughout the audit process, and interviews of residents and staff confirm compliance with this standard.</p> <p data-bbox="242 996 766 1023">Evidence relied upon to make auditor determination:</p> <ul data-bbox="242 1055 785 1597" style="list-style-type: none"> <li data-bbox="242 1055 523 1081">• MJDC PREA Policy <li data-bbox="242 1113 711 1140">• MJDC Resident Orientation Handbook <li data-bbox="242 1171 676 1198">• MJDC PREA Education Group Log <li data-bbox="242 1229 636 1256">• MJDC Pre-Audit Questionnaire <li data-bbox="242 1288 652 1314">• MJDC End the Silence Brochure <li data-bbox="242 1346 785 1373">• Auditor review of resident education materials <li data-bbox="242 1404 687 1431">• Auditor review of each resident's file <li data-bbox="242 1462 528 1489">• Interviews with Staff <li data-bbox="242 1520 580 1547">• Interviews with Residents <li data-bbox="242 1579 655 1606">• Interview with PREA Coordinator

115.334	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 453 237">Auditor Discussion</p> <p data-bbox="240 271 1484 499">MJDC only conducts administrative investigations regarding reported incidents of sexual abuse, neglect and misconduct. The PREA Coordinator, who has held certification as a PREA Auditor for juvenile facilities, has received training provided by the National Institute of Corrections related to investigations of PREA related allegations. The PREA Coordinator is responsible for conducting the administrative investigations and initial inquiries made by the facility. The policy and protocol followed by the facility, along with the Investigations training supports compliance with the standard. The agency maintains documentation of the completion of specialized training. The facility relies on James City County Police Department to conduct all criminal investigations.</p> <p data-bbox="240 528 767 557">Evidence relied upon to make auditor determination:</p> <ul data-bbox="240 586 676 784" style="list-style-type: none"> <li data-bbox="240 586 525 616">• MJDC PREA Policy <li data-bbox="240 645 639 674">• MJDC Pre-Audit Questionnaire <li data-bbox="240 703 655 732">• Interview with PREA Coordinator <li data-bbox="240 761 676 790">• Interview with PREA Agency Head

115.335	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 434">The MJDC PREA Policy addresses compliance with this this standard. While medical staff assigned to the facility do not conduct forensic examinations, the facility has access to two hospitals in the area where forensic exams may be conducted. Medical and Mental health staff are required to receive PREA training. 100% or four medical and mental health staff have been trained as required by agency policy. The documentation of all training is maintained by the facility. Interviews with medical and mental health staff and facility leadership support practices that comply with the standard.</p> <p data-bbox="229 456 1509 488">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 510 1509 790" style="list-style-type: none"> <li data-bbox="229 510 1509 542">• MJDC PREA Policy <li data-bbox="229 564 1509 595">• MJDC Pre-Audit Questionnaire <li data-bbox="229 618 1509 649">• Interviews with Medical and Mental Health Staff <li data-bbox="229 672 1509 703">• Interview with PREA Coordinator <li data-bbox="229 725 1509 757">• Review of training documentation for all medical and mental health staff

115.341	Obtaining information from residents
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 501">MJDC PREA Policy details the facility's approach to complying with this standard. A screening takes place with each resident at the point of intake to assess the risk of sexual abuse victimization or sexual abusiveness toward other residents. This screening is conducted within 72 hours of a resident's intake and periodically throughout their confinement. The risk assessment is conducted using an objective screening instrument. 329 residents who had a length of stay of 72 hours or more were screened during the past 12 months. Staff and resident interviews and a review of every resident record confirm that the screenings and periodic reassessments for risk of sexual abuse victimization and sexual abusiveness toward other residents are being conducted. The facility maintains documentation of the completed assessments and screenings.</p> <p data-bbox="229 524 1509 568">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 568 1509 972" style="list-style-type: none"> • MJDC PREA Policy • MJDC Pre-Audit Questionnaire • Review of screening tool • Review of all current residents' screenings • Auditor Interviews with Staff • Auditor Interviews with Residents • Auditor Interview with PREA Coordinator

115.342	Placement of residents
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 206 454 235">Auditor Discussion</p> <p data-bbox="242 268 1492 667">The MJDC PREA Policy addresses the facility's approach to compliance with this standard. The Policy outlines that the agency use information from the risk screening to inform housing, bed, work, education, and program assignments with the goal of keeping all residents safe and free from sexual abuse. While the facility does not use isolation, room restriction may be used only as a last resort and then only when less restrictive measures are inadequate to keep residents safe and only until an alternative means can be arranged. There have been no residents placed in isolation or room restriction in the last 12 months because he or she was at risk of sexual victimization. The facility prohibits considering lesbian, gay, bisexual, transgender, or intersex (LGBTI) identification or status an indicator of likelihood of being sexually abusive, further, policy prohibits placing LGBTI residents into particular housing, bed, or other assignments solely on the basis of such identification or status. Housing and programming assignments for transgender or intersex residents are made in a facility on a case-by-case basis. A review of all resident files revealed all residents were appropriately classified and supervised according to the information gathered from the screening tools. Based on the records review of each resident and interviews of staff and residents the facility has demonstrated compliance with this standard.</p> <p data-bbox="242 694 766 723">Evidence relied upon to make auditor determination:</p> <ul data-bbox="242 750 662 1008" style="list-style-type: none"> <li data-bbox="242 750 526 779">• MJDC PREA Policy <li data-bbox="242 806 638 835">• MJDC Pre-Audit Questionnaire <li data-bbox="242 862 654 891">• Interview with PREA Coordinator <li data-bbox="242 918 526 947">• Interviews with Staff <li data-bbox="242 974 582 1003">• Interviews with Residents

115.351	<p>Resident reporting</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>MJDC PREA Policy requires that the agency has established procedures allowing for multiple internal ways for residents to report privately report allegations of sexual abuse; sexual harassment; retaliation for reporting sexual abuse or sexual harassment; and staff neglect or other violations that may contribute to abuse. Residents may make written, verbal, or anonymous reports. Staff and residents also understand that residents may utilize third parties to make reports. Third party reporting information is publicly posted and accessible through the facility’s website. Staff reported that all reports must be documented promptly by staff and immediately reported to a supervisor or administrator. As it relates to civil immigration purposes, a review of the files of all residents confirmed that there were no residents detained solely for civil immigration purposes at MJDC. As mandated reporters, staff are required to report sexual abuse and sexual harassment of residents. Staff may privately report directly to an administrator. Residents receive reporting information at intake, this information is also found in the resident brochure. Reporting information, including phone numbers, and mailing addresses is clearly posted throughout the facility and adjacent to the telephones to assist residents making reports using the telephone. Interviews with staff and residents support an understanding of the process including the multiple ways residents may report allegations of sexual abuse or sexual harassment. In addition to interviews, observations made during the tour confirmed the proper posting of information for residents.</p> <p>Evidence relied upon to make auditor determination:</p> <ul style="list-style-type: none"> • MJDC PREA Policy • http://www.merrimac-center.net/PREA/ • MJDC Pre-Audit Questionnaire • Auditor Review of forms and reporting documentation • Interviews with Residents • Interviews with Staff • Interview with PREA Coordinator
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115.352	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1485 2101"> MJDC PREA Policy outlines the facility's approach to compliance with this standard. The facility has an administrative process for responding to resident grievances. Residents are provided information as to how to file a grievance during the intake process. In accordance with the policy, residents shall be continuously advised of their right to file a grievance through written notice posted on all housing units. Notices are in clear and simple language and take into consideration the various ages and developmental levels of the residents housed at the facility. Further, notices are posted in the resident visitation area, housing units, dining hall, library, and education areas, as well as the intake area for the informative benefit residents, parents and legal guardians and visitors who may file grievances on behalf of residents if such a need arises. Policy demonstrates a process that provides for residents to have unimpeded access to the grievance process. The grievance process provides a timely response to all resident grievances and establishes a process for administrative review to ensure compliance with the policy. Residents receive a response as to the status or resolution of the grievance within 72 hours of administration receiving the grievance. Residents are not required to use an informal grievance process or to attempt to resolve with staff alleged instances of abuse. In addition to receiving this information at Intake, the resident handbook contains information regarding the grievance process and how to file a grievance. Policy states that residents will not be referred to the staff member who is the subject of the complaint. Policy further states that there is no time limit for a resident to submit a grievance regarding an allegation of sexual misconduct. Decisions on the merits of any grievance or portion of a grievance alleging sexual abuse is made within 90 days of the filing of the grievance. When referring to emergency grievances, policy requires that if a resident has an emergency grievance, the grievance shall be given to an administrator as soon as possible to ensure that the matter is investigated; immediate corrective action is taken, and the resident receives a response within eight hours of filing the emergency grievance. The resident shall not submit an emergency grievance to the staff member who is the subject of the complaint. Based on the nature of the grievance; appropriate action, including removing the staff who is the subject of the grievance from contact with residents, shall be taken immediately. The policy supports compliance with the standard and states: "The Merrimac Center shall ensure that a resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and such grievance is not referred to a staff member who is the subject of the complaint. The Merrimac Center shall issue a final Merrimac Center 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 shall not include time consumed by residents in preparing any administrative appeal. The Merrimac Center may claim an extension of time to respond, of up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The Merrimac Center shall notify the resident in writing of any such extension and provide a date by which a decision will be made. At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, the resident may consider the absence of a response to be a denial at that level. Third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, shall be permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of residents. If a third party, other than a parent or legal guardian, files such grievances on behalf of a resident, 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. If the resident declines to have the request processed on his or her behalf, the Merrimac Center shall document the residents' decision. A parent or legal guardian of a juvenile shall be allowed to file a grievance regarding allegations of sexual abuse, including appeals, on behalf of such juvenile. Such a grievance shall not be conditioned upon the juvenile agreeing to have the request filed on his or her behalf. The Merrimac Center shall allow for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse. After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, the Merrimac Center shall 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, shall provide an initial response within 48 hours, and shall issue a final Merrimac Center decision within 5 calendar days. The initial response and final Merrimac Center decision shall document the Merrimac Center's determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. The Merrimac Center may discipline a resident for filing a grievance related to alleged sexual abuse only where the Merrimac Center demonstrates that the resident filed the grievance in bad faith." The policy, the agency's approach, and the responses from residents and staff during the interviews demonstrate both an understanding and agency compliance with this standard. There were no grievances related to sexual abuse during the last twelve months. There were no regular or emergency grievances alleging a substantial risk of imminent sexual abuse filed in the past 12 months. Lastly, policy limits the ability to discipline a resident for filing a grievance alleging sexual abuse to occasions where the agency demonstrates that the resident filed the grievance in bad faith. In the past 12 months there have been no resident grievances alleging sexual abuse that resulted in disciplinary action by the agency against the resident for having filed the grievance in bad faith. </p> <p data-bbox="240 2134 767 2159">Evidence relied upon to make auditor determination:</p>

- MJDC PREA Policy Chapter Nine
- MJDC Pre-Audit Questionnaire
- Interviews with Staff
- Interviews with Residents
- Interview PREA Coordinator

115.353	Resident access to outside confidential support services and legal representation
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 958">MJDC PREA Policy Chapter Nine outlines how the facility meets compliance with this standard. Memorandums of Understanding (MOU) with the Avalon Center, an organization committed to “end domestic and sexual violence by breaking the cycle of abuse through prevention, education, shelter, and support services...” for outside victim advocacy services, Williamsburg-James City County Victim Witness Assistance Program, for follow-up services and crisis intervention contacts. The agreement with the Avalon Center provided for services that include education and training for residents and staff, counseling services, victim support and advocacy, and referral services for victims, and the agreement with Riverside Health Services provides for referrals for support services as well as access to Sexual Assault Nurse Examiners for forensic examinations as needed. The agency maintains copies of the memorandums. Residents have access to the phone numbers and mailing addresses for both agencies. Resident interviews confirmed that they knew how to report using various avenues including reporting directly to staff, reporting to their attorney or probation staff, and reporting to parents and guardians. Residents were able to answer that they would receive various forms of help to include, counseling and therapy by calling the Avalon Center. Residents also understood that that their communications using the telephone would be confidential unless there was an issue of safety, at which point facility administrators would be notified so that residents would be immediately made safe. The facility informs residents of the mandatory reporting rules governing privacy and confidentiality regarding disclosures of sexual abuse made to outside victim advocates. Staff and resident interviews confirmed that residents have reasonable access, and that access is provided in as confidential a manner as possible. Interviews with residents and staff confirm that residents have access to their attorneys, other legal representation, and parents and legal guardians. Residents reported that they were able to make phone calls, visit with professional service providers, parents, and guardians, and send and receive mail from parents and guardians and their legal representatives. Accommodations are made to schedule alternate visiting times for parents that may require them.</p> <p data-bbox="229 958 1509 994">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 994 1509 1612" style="list-style-type: none"> <li data-bbox="229 994 1509 1030">• MJDC PREA Policy Chapter Nine <li data-bbox="229 1030 1509 1066">• MJDC Memorandums of Understanding with the Avalon Center <li data-bbox="229 1066 1509 1191">• MJDC Memorandums of Understanding with the Williamsburg-James City County Victim Witness Assistance Program <li data-bbox="229 1191 1509 1227">• MJDC Pre-Audit Questionnaire <li data-bbox="229 1227 1509 1263">• Observations of the auditor made during the Facility Tour <li data-bbox="229 1263 1509 1299">• MJDC Memorandum of Understanding with Riverside Health Services <li data-bbox="229 1299 1509 1335">• Interviews with Residents <li data-bbox="229 1335 1509 1370">• Interviews with Staff <li data-bbox="229 1370 1509 1406">• Interview with PREA Coordinator

115.354	<p>Third-party reporting</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The MJDC PREA policy supports compliance with this standard. The MJDC PREA policy which outlines the methods by which third-party reports of resident sexual abuse and sexual harassment may be made or received. Additionally, the agency website: http://www.merrimac-center.net/prea provides the public with information regarding third-party reporting of sexual abuse or sexual harassment and encourages reports on behalf of a residents. Staff and resident interviews revealed all were aware of a resident's right to report sexual abuse or sexual harassment using various methods including reporting to a trusted staff member as well as others outside of the facility including their parents, legal guardians, and attorneys. During staff interviews the responses indicated that staff clearly understood to immediately report and document all allegations of sexual abuse and sexual harassment. Staff and residents were able to provide numerous examples of third parties, including parents, guardians, probation officers, staff, trusted adults, and attorneys.</p> <p>Evidence relied upon to make auditor determination:</p> <ul style="list-style-type: none"> • MJDC PREA Policy • MJDC Pre-Audit Questionnaire • MJDC website information: http://www.merrimac-center.net/prea • Link to third party reporting form found on Agency Website • Interviews with Staff • Interviews with Residents • Interview with PREA Coordinator
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115.361	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 622">MJDC's PREA Policy requires staff to immediately report any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether it is part of the agency or not. Interviews with staff reflected that all are aware of this requirement and were able to clearly state their responsibilities related to reporting, including reporting the information immediately and documenting all reports they receive. Interviews with staff also revealed that staff understand the requirement to report retaliation against residents or staff who report any incidents, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. The policy further establishes the prohibition of staff 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. Compliance of the standard was confirmed by responses provided by staff during the staff interviews and a review of the policies and supporting documentation.</p> <p data-bbox="229 622 1509 658">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 658 1509 900" style="list-style-type: none"> <li data-bbox="229 658 1509 694">• MJDC PREA Policy Chapter 9 <li data-bbox="229 694 1509 730">• MJDC Pre-Audit Questionnaire <li data-bbox="229 730 1509 766">• Interviews with Staff <li data-bbox="229 766 1509 900">• Interview with PREA Coordinator

115.362	Agency protection duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 453 237">Auditor Discussion</p> <p data-bbox="244 271 1477 528">Responses provided by staff reflected a clear understanding of their responsibility to residents when learning that a resident was subject to a substantial risk of imminent sexual abuse. Staff stated they would immediately protect the resident by separating the resident from the alleged abuser, notify the supervisor without delay and document the allegation and their response, written report, log entry, or witness statement prior to the end of their tour or shift. Staff stated they would take all allegations received by them seriously. The responses of staff were in keeping with the policy outlining agency protection duties which requires staff to take immediate action to protect a resident when the resident is identified as being subject to substantial risk of imminent sexual abuse. There were no residents identified as being at risk for sexual abuse in the past 12 months. Interviews with staff and the Executive Director confirmed compliance with this standard.</p> <p data-bbox="244 562 767 591">Evidence relied upon to make auditor determination:</p> <ul data-bbox="244 618 831 875" style="list-style-type: none"> <li data-bbox="244 618 523 647">• MJDC PREA Policy <li data-bbox="244 674 636 703">• MJDC Pre-Audit Questionnaire <li data-bbox="244 730 831 759">• Interview with the Agency Head/Executive Director <li data-bbox="244 786 528 815">• Interviews with Staff <li data-bbox="244 842 655 871">• Interview with PREA Coordinator

115.363	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1490 696">MJDC PREA Policy requires that upon receiving an allegation from a resident that the resident was sexually abused while confined at another confinement facility the staff member receiving the report shall notify the Executive Director or her designee. The Executive Director or her designee shall contact the head of the confinement facility where the alleged abuse occurred and shall also notify the Department of Juvenile Justice's Certification Unit. Such notification shall be made as soon as possible but no later than 72 hours from the time the resident made the report. The Executive Director or her designee shall document such notification. If MJDC receives such a report from another confinement facility, the matter shall be investigated in accordance with the PREA policy Chapter nine. During the past 12 months, there were no allegations received that a resident was abused while confined at another facility nor were there allegations during the past 12 months of sexual abuse received by MJDC from other facilities regarding abuse happening at MJDC. The interview with the Executive Director revealed that she had a clear understanding of this policy and the PREA standard regarding her responsibilities and her duty to immediately report allegations received related to the abuse of residents while confined at other facilities. The Executive Director also spoke to the requirement of the prompt investigations of reports to her of allegations received from other facilities regarding abuses that may have taken place at MJDC.</p> <p data-bbox="242 730 767 757">Evidence relied upon to make auditor determination:</p> <ul data-bbox="242 786 663 927" style="list-style-type: none"> <li data-bbox="242 786 663 813">• MJDC PREA Policy Chapter Nine <li data-bbox="242 842 663 869">• MCJDC Pre-Audit Questionnaire <li data-bbox="242 898 663 927">• Interview with Executive Director

115.364	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 757">MJDC PREA Policy requires staff to take specific steps to respond to a report of sexual abuse including: separating the alleged victim from the abuser; preserving and protect any crime scene until the appropriate steps can be taken to collect evidence; If the abuse occurred within a time period that still allows for the collection of physical evidence request the alleged victim and the alleged abuser not take any action that could destroy physical evidence; and document in writing the information received regarding the incident. During staff interviews, the staff demonstrated an understanding of their roles as first responders and the responsibilities to preserve physical evidence and securing any area that might be relevant to the investigation or considered a crime scene. Medical and mental health staff were able to speak to their roles as responders to an incident once notified by staff. Medical spoke to completing an initial assessment of injuries and rendering aid as required. Medical also stated that any incident requiring a forensic medical examination would be referred out to Riverside Hospital for examination by a Sexual Assault Forensic Examiner or Sexual Assault Nurse Examiner. Additionally, agency policy requires that if the first responder is not a security staff member that responder shall notify a security staff member and then request the alleged victim and alleged abuser not take any action that might destroy physical evidence. In the past 12 months there was no situation that involved first responders. There was one allegation of sexual abuse during the past 12 months, this investigation was determined to be unfounded.</p> <p data-bbox="229 757 1509 792">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 792 1509 1034" style="list-style-type: none"> <li data-bbox="229 792 1509 828">• MJDC PREA Policy <li data-bbox="229 828 1509 864">• MJDC Pre-Audit Questionnaire <li data-bbox="229 864 1509 900">• Interviews with Staff <li data-bbox="229 900 1509 1034">• Interview with PREA Coordinator

115.365	Coordinated response
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 725">MJDC has developed a written institutional plan to coordinate actions taken in response to an incident of sexual abuse. The plan coordinates the actions of staff first responders, medical and mental health practitioners, investigators, and facility leadership. The Merrimac Center Coordinated Response to Incidents of Sexual Abuse details actions to be taken by staff first responders, medical, mental health, investigators, and administrators. The plan also details the order of the response by action and who is responsible for each action. The plan was reviewed by the auditor and complies with this standard. Interviews with the Executive Director and other staff including staff first responders, medical and mental health revealed that they are knowledgeable of their duties in response to an allegation of sexual abuse in keeping with the facility's coordinated response plan, the policy, and the PREA standards. The coordinated response plan, PREA policy, and responses received by the auditor during staff interviews demonstrated an understanding of this standard. Interviews with the Executive Director and other staff including staff first responders, medical and mental health revealed that they are knowledgeable of their duties in response to an allegation of sexual abuse in keeping with the facility's coordinated response plan, the agency policy, and the PREA standards. The coordinated response plan, PREA policy, and responses of staff during interviews demonstrated compliance with this standard.</p> <p data-bbox="229 725 1509 770">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 770 1509 1059" style="list-style-type: none"> <li data-bbox="229 770 1509 815">• MJDC PREA Policy <li data-bbox="229 815 1509 860">• MJDC Pre-Audit Questionnaire <li data-bbox="229 860 1509 904">• MJDC PREA Incident – Merrimac Center Coordinated Response To Incidents of Sexual Abuse <li data-bbox="229 904 1509 949">• Interviews with Staff <li data-bbox="229 949 1509 1059">• Interview with PREA Coordinator

115.366	Preservation of ability to protect residents from contact with abusers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 451 237">Auditor Discussion</p> <p data-bbox="244 271 978 300">Merrimac Juvenile Detention Center is not a collective bargaining agency.</p> <p data-bbox="244 327 767 356">Evidence relied upon to make auditor determination:</p> <ul data-bbox="244 383 798 528" style="list-style-type: none"> <li data-bbox="244 383 638 412">• MJDC Pre-Audit Questionnaire <li data-bbox="244 439 659 468">• Interview with PREA Coordinator <li data-bbox="244 495 798 524">• Interview with Executive Director/Agency Head

115.367	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 891">PREA Policy outlines how the agency will protect all residents and staff who report sexual abuse or sexual harassment as well as those that cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff. The Quality Assurance/Operations Manager who is also the PREA Coordinator and PREA Auditor has been designated by the agency head as having the primary responsibility of monitoring for retaliation. The PREA Coordinator was able to articulate his understanding of the role to monitor for changes that may suggest possible retaliation by residents or staff; he was able to provide various examples including changes in resident behavior, temperament, and/or interaction with others, increased resident behavior reports and incidents, unit changes or requests to move residents, and other behaviors or interactions that appear to be out of the normal character of the resident. In response to things to look for when monitoring for possible retaliation related to staff the responses included: changes in work performance and/or performance reviews, attendance, including tardiness and/or requests for shift changes, changes in or adjustments to work and unit assignments by other supervisors or managers and changes in interactions with other staff. The PREA Coordinator reported that he would actively monitor for retaliation by meeting with staff and residents who had reported sexual abuse or sexual harassment or who had cooperated with investigations. The PREA Coordinator also confirmed that he would immediately respond to all reports and suspected instances of retaliation. He asserted that he would monitor for retaliation for at least 90 days and longer if the situation called for a longer monitoring period to ensure the safety of residents and staff. The interview with the Executive Director indicated she would ensure compliance with the policy for monitoring for retaliation by meeting with the PREA Coordinator to ensure steps for protection were followed as outlined by policy. There were no incidents of retaliation occurring in the past 12 months.</p> <p data-bbox="229 891 1509 936">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 936 1509 1167" style="list-style-type: none"> <li data-bbox="229 936 1509 1003">• MJDC PREA Policy <li data-bbox="229 1003 1509 1070">• MJDC Pre-Audit Questionnaire <li data-bbox="229 1070 1509 1137">• Interview with the PREA Coordinator <li data-bbox="229 1137 1509 1167">• Interview with Executive Director

115.368	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 451 237">Auditor Discussion</p> <p data-bbox="244 271 1485 432">MJDC PREA Policy and facility policy, practice and culture prohibit isolation as a means of post-allegation protective custody. The facility can separate residents from each other within the facility and by moving residents to other facilities if the need arises. Inspection of the facility by the auditor during the on-site portion of the audit confirmed the facility has ample space to physically separate residents within the population if needed. No resident alleged to have suffered sexual abuse who was placed in isolation or post-allegation protective custody in the past 12 months.</p> <p data-bbox="244 465 767 495">Evidence relied upon to make auditor determination:</p> <ul data-bbox="244 521 1023 775" style="list-style-type: none"> <li data-bbox="244 521 523 551">• MJDC PREA Policy <li data-bbox="244 577 639 607">• MJDC Pre-Audit Questionnaire <li data-bbox="244 633 691 663">• Interview with the Executive Director <li data-bbox="244 689 1023 719">• Observations of the Auditor made during the on-site tour of the facility <li data-bbox="244 745 659 775">• Interview with PREA Coordinator

115.371	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 824">MJDC PREA Policy requires MJDC to conduct initial inquiries through the administrative investigations process into all reported incidents or allegations of sexual abuse, harassment, neglect, and misconduct, to determine whether the allegations should be referred to James City County Police Department who conducts criminal investigations for the Agency. The incidents will also be reported to the Virginia Department of Juvenile Justice and Child Protective Services/Department of Social Services, as appropriate and all incidents will be documented. In the event of a reported incident of sexual abuse, MJDC will coordinate actions among staff first responders, medical and mental health practitioners, investigators and MJDC administration. Policy requires the facility to cooperate fully with investigators and to remain informed about the progress of the investigation. Substantiated allegations of conduct that appear to be criminal will be referred for prosecution. MJDC will retain such administrative records for as long as the alleged abuser is placed or employed by MJDC, plus five years. The departure of the alleged abuser or victim from the employment or control of the facility will not provide a basis for terminating any inquiry or investigation. Policy further requires staff members to cooperate with all investigations. There have been no substantiated allegations of conduct that appeared to be criminal that were referred for prosecution since the last audit. Staff interviews confirmed their knowledge of criminal and administrative investigations, as well as the requirement to report misconduct to James City County Police Department and the Child Protective Services/Department of Social Services. Responses from staff during interviews as well as the guidelines outlined by policy demonstrate compliance with the standard.</p> <p data-bbox="229 824 1509 860">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 860 1509 1102" style="list-style-type: none"> • MJDC PREA Policy • Interview with Superintendent • MJDC Pre-Audit Questionnaire • Interview with PREA Coordinator

115.372	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>MJDC PREA Policy demonstrates compliance with this standard. The policy states the facility shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Evidence relied upon to make auditor determination:</p> <ul style="list-style-type: none"> • MJDC PREA Policy Chapter Nine • MJDC Pre-Audit Questionnaire • Interview with PREA Coordinator

115.373	Reporting to residents
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 453 237">Auditor Discussion</p> <p data-bbox="242 273 1485 931"> MJDC PREA Policy requires that any resident who alleges that he or she suffered sexual abuse in the facility is informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation. In the past 12 months there were no criminal and/or administrative investigations of alleged resident sexual abuse that were completed by the agency/facility. There were no investigations of alleged resident sexual abuse in the facility that were completed by an outside agency in the past 12 months. Because there were no investigations conducted in the past 12 months, there were no notifications to residents that were provided pursuant to standard 115.373. Policy requires that following an investigation into a resident's allegation of sexual abuse occurring at the facility, an administrator will inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. Administrative staff will request all relevant information from the investigative agency in order to inform the resident of the progress of the investigation. Following a resident's allegation that a staff member has committed sexual abuse, an administrator will subsequently inform the resident (unless it is determined that the allegation is unfounded) whenever: the staff member is no longer posted within the facility; the staff member is no longer employed at the facility; administration learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or administration learns that the staff member has been convicted on a charge related to sexual abuse within the facility. Following a resident's allegation that he or she has been sexually abused by another resident, administration shall subsequently inform the alleged victim whenever: administration learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or administration learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. Policy requires that all such notifications or attempted notifications shall be documented. There have been no substantiated or unsubstantiated complaints of sexual abuse committed by a staff member against a resident in the facility in the past 12 months. There have been no notifications to residents pursuant to this standard in the past 12 months. </p> <p data-bbox="242 967 767 994">Evidence relied upon to make auditor determination:</p> <ul data-bbox="242 1021 663 1160" style="list-style-type: none"> <li data-bbox="242 1021 663 1048">• MJDC PREA Policy Chapter Nine <li data-bbox="242 1075 663 1102">• MJDC Pre-Audit Questionnaire <li data-bbox="242 1128 663 1155">• Interview with PREA Coordinator

115.376	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1493 763">MJDC PREA Policy outlines the agency’s disciplinary response related to violations of PREA policies by staff. Policy states staff will be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. In the past 12 months the facility reported one staff violated the agency sexual abuse or sexual harassment policy, and none have been subsequently disciplined short of termination or terminated for violating the agency sexual abuse or sexual harassment policies. As reflected in the investigation provided the staff was not found to have violated the facility's PREA policy. The finding of this auditor, after consultation with the agency, affirms this should be zero. No staff was found to have violated the agency sexual abuse or sexual harassment policies. 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 MJDC’s PREA policy or resignations by staff who would have been terminated if not for their resignation, shall be reported to the James City County Police Department, unless the activity was clearly not criminal; and to any relevant licensing bodies. The policy specifically states that the presumptive disciplinary sanction for staff who engages in sexual abuse will be termination. In the past 12 months, there have been no reports to law enforcement or licensing boards following termination or resignation prior to termination of staff for violating agency sexual abuse or sexual harassment policies.</p> <p data-bbox="242 797 767 824">Evidence relied upon to make auditor determination:</p> <ul data-bbox="242 853 657 994" style="list-style-type: none"> <li data-bbox="242 853 525 880">• MJDC PREA Policy <li data-bbox="242 909 638 936">• MJDC Pre-Audit Questionnaire <li data-bbox="242 965 657 992">• Interview with PREA Coordinator

115.377	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 555">MJDC PREA Policy states that any contractor or volunteer who engages in sexual abuse will be prohibited from contact with residents. The contractor or volunteer will also be reported to Child Protective Services/Department of Social Services and the James City County Police Department unless the activity was clearly not criminal, and to relevant licensing bodies. The policy further requires that MJDC take appropriate remedial measures and will consider whether to prohibit further contact with residents, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. During the past 12 months, no contractor or volunteer has violated the agency sexual abuse or sexual harassment policy, and none have been reported to law enforcement or any other agency for violations of the agency sexual abuse or sexual harassment policy.</p> <p data-bbox="229 555 1509 595">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 595 1509 777" style="list-style-type: none"> <li data-bbox="229 595 1509 636">• MJDC PREA Policy <li data-bbox="229 636 1509 676">• MJDC Pre-Audit Questionnaire <li data-bbox="229 676 1509 777">• Interview with PREA Coordinator

115.378	<p>Interventions and disciplinary sanctions for residents</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>MJDC PREA Policy states that a resident may be subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or following a criminal finding of guilt for resident-on-resident sexual abuse. In the past 12 months there have been no administrative or criminal findings for guilt of resident-on-resident sexual abuse occurring at the facility. Policy further states that any disciplinary sanctions shall be commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories. While MJDC does not use isolation, MJDC shall not deny the resident daily large-muscle exercise or access to any legally required educational programming or special education services. In the past 12 months there have been no residents placed in isolation as a disciplinary sanction for resident-on-resident sexual abuse. Interviews from staff confirm that the facility offers therapy, counseling and other interventions designed to address and correct the underlying reasons or motivations for abuse. Additionally, interviews confirm that the facility offers the same services to offending residents and that the facility may require participation by an offending resident in interventions as a condition of access to rewards-based behavior management system or other behavior-based incentives. Access to general programming or education is not conditional on participation in such interventions. The disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. MJDC will discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact. For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. MJDC prohibits all sexual activity between residents, further, the agency prohibits all sexual activity between residents and disciplines residents for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.</p> <p>Evidence relied upon to make auditor determination:</p> <ul style="list-style-type: none"> • MJDC PREA Policy • MJDC Pre-Audit Questionnaire • Review of documentation • Interview with PREA Coordinator
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115.381	<p>Medical and mental health screenings; history of sexual abuse</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>MJDC PREA Policy directs that all residents receive a mental health and Vulnerability Assessment screening within 72 hours of initial intake. Any housing concerns noted during the screenings regarding a resident's history of sexual abuse-victimization or sexual predatory behavior is communicated to the facility administrators and recorded in the resident's file. Any resident who at any time displays predatory behavior or the potential for victimization will be referred for appropriate mental health evaluation by the assigned Colonial Behavioral Health Therapist. Once a resident is identified as a High-Risk Sexual Predator (HRSP) or as a victim/potential victim (Vulnerable Population) at any time during his/her placement, the resident is evaluated for appropriate assignment and programs. Residents with a history of sexually violent behavior are identified, monitored, tracked, and counseled. Residents at risk for sexual victimization are identified, monitored, and counseled. Residents included in this category may be younger, of small stature, first time offenders, residents who identify as LGBTQI, or those perceived by other residents as weak. The risk level will be reviewed periodically. All residents at this facility who have disclosed any prior sexual victimization or perpetrated sexual abuse during a screening are offered a follow-up meeting with a medical or mental health practitioner. This follow up meeting will be within 14 days. The information gleaned from the mental health clinician is limited to those who have a need to know to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents. A review of documentation, including every resident's file; and interviews with youth confirm that residents having reported prior sexual victimization during screening were offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. Additionally, residents who had previously perpetrated sexual abuse, as indicated during the screening pursuant to standard 115.341, are offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening. A review of policy, documentation and staff interviews confirmed compliance with this standard.</p> <p>Evidence relied upon to make auditor determination:</p> <ul style="list-style-type: none"> • MJDC PREA Policy Chapter Nine • MJDC Vulnerability Assessment • MJDC Pre-Audit Questionnaire • Review of documentation • Interview with PREA Coordinator
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115.382	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 453 237">Auditor Discussion</p> <p data-bbox="244 271 1485 562">MJDC PREA Policy requires that all resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services without financial cost to them and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. The nature and scope of these services are determined by medical and mental health practitioners according to their professional judgement. Medical and mental health staff maintain secondary materials documenting the timeliness of emergency medical treatment and crisis intervention services that were provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis. Interviews with medical and mental health staff confirm their understanding and compliance with this standard.</p> <p data-bbox="244 595 767 624">Evidence relied upon to make auditor determination:</p> <ul data-bbox="244 651 655 797" style="list-style-type: none"> <li data-bbox="244 651 525 680">• MJDC PREA Policy <li data-bbox="244 707 636 736">• MJDC Pre-Audit Questionnaire <li data-bbox="244 763 655 792">• Interview with PREA Coordinator

115.383	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 725">MJDC PREA Policy addresses ongoing medical and mental health care for sexual abuse victims and abusers. Policy requires MJDC offer ongoing medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. MJDC has entered into a Memorandum of Understanding with Avalon Center to provide advocacy and support to residents and training to staff. MJDC also has an MOU with Riverside Health Services to provide medical treatment, including forensic examinations, and information and referrals as necessary. The facility is able to ensure ongoing mental health care for sexual abuse victims and abusers pursuant to this standard. Resident victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from sexually abusive conduct, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services. Resident victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Additionally, the facility will attempt to obtain a mental health evaluation within 60 days of learning of such abuse history and offers treatment when deemed appropriate by a mental health practitioner. Responses received during interviews with medical and mental health staff and residents confirm compliance with this standard.</p> <p data-bbox="229 725 1509 770">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 770 1509 1090" style="list-style-type: none"> <li data-bbox="229 770 1509 837">• MJDC PREA Policy <li data-bbox="229 837 1509 904">• MJDC MOUs with Avalon, Riverside Health Services, and Williamsburg-James City County Victim Witness Assistance Program <li data-bbox="229 904 1509 972">• MJDC Pre-Audit Questionnaire <li data-bbox="229 972 1509 1039">• Interviews with Medical and Mental Health Staff <li data-bbox="229 1039 1509 1090">• Interview with PREA Coordinator

115.386	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1493 1032">MJDC PREA Policy outlines its approach to compliance with this standard and provides information regarding the role of the incident review team. MJDC conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation unless the allegation has been determined to be unfounded. MJDC documents the names of all team members and their roles. The make-up of the sexual abuse incident review team is in keeping with the standard and written in the PREA policy. Policy also outlines the elements to be considered in their assessments of incidents. “The review team shall: 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 or otherwise caused by the perpetrator or victim’s race, ethnicity, sexual orientation, gang affiliation, or other group dynamics at MJDC; 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 different shifts; Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of §115.386, and any recommendations for improvement and submit such report to the Executive Director. Members of the team and the Executive Director understood that compliance with the standard requires implementation of the recommendations for improvement or documentation as to reasons for not doing so. Further, policy dictates the facility conduct a sexual abuse incident review within 30 days of the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. In the past 12 months there have been neither criminal nor administrative investigations of alleged sexual abuse completed at the facility that were followed by a sexual abuse incident review. Members of the facility incident review team demonstrated understanding of the requirements of the standard and provided an organized and objective approach to the review team process. The sexual assault incident review team includes upper-level management officials and allows for input from supervisors, investigators and medical or mental health practitioners. Interviews with staff who make up the facility incident review team, as well as the Executive Director revealed that they understand the purpose of the incident review team and the process by which incidents will be reviewed.</p> <p data-bbox="242 1064 767 1090">Evidence relied upon to make auditor determination:</p> <ul data-bbox="242 1122 992 1377" style="list-style-type: none"> <li data-bbox="242 1122 523 1149">• MJDC PREA Policy <li data-bbox="242 1180 636 1207">• MJDC Pre-Audit Questionnaire <li data-bbox="242 1238 992 1265">• MJDC PREA Sexual Abuse Incident Review Team Meeting Report <li data-bbox="242 1296 866 1323">• Interviews with members of the Incident Review Team <li data-bbox="242 1355 655 1382">• Interview with PREA Coordinator

115.387	Data collection
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 453 237">Auditor Discussion</p> <p data-bbox="240 271 1490 499">Policy requires that MJDC use a standardized instrument with definitions to collect accurate, uniform data for every allegation of sexual abuse. 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. MJDC will aggregate the incident-based sexual abuse data at least annually. MJDC will maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Upon request, MJDC will provide all such data from the previous calendar year to the Department of Justice no later than June 30. No data has been requested by the Department of Justice.</p> <p data-bbox="240 528 767 557">Evidence relied upon to make auditor determination:</p> <ul data-bbox="240 586 722 842" style="list-style-type: none"> • MJDC PREA Policy • PREA Incident-based Information Form • Pre-Audit Questionnaire • Interview with the Executive Director • Interview with PREA Coordinator

115.388	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 453 237">Auditor Discussion</p> <p data-bbox="240 271 1485 499">The MJDC PREA Policy requires that MJDC use a standardized instrument with definitions to collect accurate, uniform data for every allegation of sexual abuse. 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. MJDC will aggregate the incident-based sexual abuse data at least annually. MJDC will maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Upon request, MJDC will provide all such data from the previous calendar year to the Department of Justice no later than June 30. No data has been requested by the Department of Justice.</p> <p data-bbox="240 528 767 557">Evidence relied upon to make auditor determination:</p> <ul data-bbox="240 586 908 784" style="list-style-type: none"> <li data-bbox="240 586 525 616">• MJDC PREA Policy <li data-bbox="240 645 908 674">• MJDC Incident-based Sexual Abuse Data Collection Form <li data-bbox="240 703 639 732">• MJDC Pre-Audit Questionnaire <li data-bbox="240 761 655 790">• Interview with PREA Coordinator

115.389	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 421">The MJDC PREA Policy Chapter Nine requires that data is collected and securely retained for at least 10 years after the date of initial collection unless Federal, state or local laws require otherwise. The aggregated PREA data is made publicly available after all personal identifiers have been removed. Interviews with staff and a review of policy demonstrate the agency's approach to complying with this standard.</p> <p data-bbox="229 421 1509 483">Evidence relied upon to make auditor determination:</p> <ul data-bbox="229 483 1509 698" style="list-style-type: none"> <li data-bbox="229 483 1509 546">• MJDC PREA Policy <li data-bbox="229 546 1509 609">• MJDC Pre-Audit Questionnaire <li data-bbox="229 609 1509 672">• Interviews with Executive Director <li data-bbox="229 672 1509 698">• Interview with PREA Coordinator

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 237">Auditor Discussion</p> <p data-bbox="240 271 1493 533">During the three-year period starting on August 20, 2013, and during each three-year period thereafter, the agency ensured the facility was audited. During the onsite portion of the audit, the auditor was permitted to observe all areas of the facility. The auditor was provided copies of requested documents including electronic documents and videos of various evolutions and events. The auditor was permitted to conduct private interviews with residents and staff. Notices of the audit were posted ahead of the on-site portion and emails of photographs of the posted notices were sent to the auditor. The audit was postponed for a week due to unforeseen circumstances and the audit dates were adjusted on the notices. Although no correspondence was received by the auditor, residents were provided the opportunity and means to send confidential information and correspondence to the auditor in the same manner as if they were communicating with legal counsel.</p> <p data-bbox="240 562 767 591">Evidence relied upon to make auditor determination:</p> <ul data-bbox="240 620 655 819" style="list-style-type: none"> <li data-bbox="240 620 655 649">• Interview with PREA Coordinator <li data-bbox="240 678 655 707">• Interview with Executive Director <li data-bbox="240 736 612 766">• Photographs of audit notices <li data-bbox="240 795 624 824">• Review of the previous audits

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1485 365">The Agency ensure the publication of the final audit report on the website. The Agency’s previous final reports were published on the Agency website as required by policy and in keeping with the requirements of the standards. All reports are available.</p> <p data-bbox="244 396 767 423">Evidence relied upon to make auditor determination:</p> <ul data-bbox="244 454 655 651" style="list-style-type: none"> <li data-bbox="244 454 453 481">• PREA Policy <li data-bbox="244 512 655 539">• Interview with PREA Coordinator <li data-bbox="244 571 592 598">• Review of Agency website <li data-bbox="244 629 655 656">• Interview with Executive Director

Appendix: Provision Findings		
115.311 (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
115.311 (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
115.311 (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.)	na
	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.)	na
115.312 (a)	Contracting with other entities for the confinement of residents	
	If this agency is public and it contracts for the confinement of its residents with private agencies or other entities including other government agencies, has the agency included the entity's obligation to adopt and 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 residents.)	na
115.312 (b)	Contracting with other entities for the confinement of residents	
	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 residents OR the response to 115.312(a)-1 is "NO".)	na

115.313 (a)	Supervision and monitoring	
	Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect residents against sexual abuse?	yes
	Does the agency ensure that each facility has implemented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect residents against sexual abuse?	yes
	Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect residents against sexual abuse?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Generally accepted juvenile detention and correctional/secure residential practices?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any judicial findings of inadequacy?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any findings of inadequacy from Federal investigative agencies?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any findings of inadequacy from internal or external oversight bodies?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: All components of the facility's physical plant (including "blind-spots" or areas where staff or residents may be isolated)?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The composition of the resident population?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The number and placement of supervisory staff?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Institution programs occurring on a particular shift?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any applicable State or local laws, regulations, or standards?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the 11 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any other relevant factors?	yes

115.313 (b)	Supervision and monitoring	
	Does the agency comply with the staffing plan except during limited and discrete exigent circumstances?	yes
	In circumstances where the staffing plan is not complied with, does the facility fully document all deviations from the plan? (N/A if no deviations from staffing plan.)	yes
115.313 (c)	Supervision and monitoring	
	Does the facility maintain staff ratios of a minimum of 1:8 during resident waking hours, except during limited and discrete exigent circumstances? (N/A only until October 1, 2017.)	yes
	Does the facility maintain staff ratios of a minimum of 1:16 during resident sleeping hours, except during limited and discrete exigent circumstances? (N/A only until October 1, 2017.)	yes
	Does the facility fully document any limited and discrete exigent circumstances during which the facility did not maintain staff ratios? (N/A only until October 1, 2017.)	yes
	Does the facility ensure only security staff are included when calculating these ratios? (N/A only until October 1, 2017.)	yes
	Is the facility obligated by law, regulation, or judicial consent decree to maintain the staffing ratios set forth in this paragraph?	yes
115.313 (d)	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: Prevailing staffing patterns?	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
115.313 (e)	Supervision and monitoring	
	Has the facility 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? (N/A for non-secure facilities)	yes
	Is this policy and practice implemented for night shifts as well as day shifts? (N/A for non-secure facilities)	yes
	Does the facility 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? (N/A for non-secure facilities)	yes
115.315 (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
115.315 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches in non-exigent circumstances?	yes

115.315 (c)	Limits to cross-gender viewing and searches	
	Does the facility document and justify all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches?	yes
115.315 (d)	Limits to cross-gender viewing and searches	
	Does the facility implement policies and procedures that enable residents 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 a resident housing unit?	yes
	In facilities (such as group homes) that do not contain discrete housing units, does the facility require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing? (N/A for facilities with discrete housing units)	na
115.315 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex residents for the sole purpose of determining the resident's genital status?	yes
	If a resident's genital status is unknown, does the facility determine genital status during conversations with the resident, 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
115.315 (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 residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.316 (a)	Residents with disabilities and residents who are limited English proficient	
	Does the agency take appropriate steps to ensure that residents 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: Residents who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who are blind or have low vision?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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: Residents who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that residents 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 residents 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 residents with disabilities including residents who: Have intellectual disabilities?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents 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 residents with disabilities including residents who: Who are blind or have low vision?	yes
115.316 (b)	Residents with disabilities and residents 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 residents 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

115.316 (c)	Residents with disabilities and residents who are limited English proficient	
	Does the agency always refrain from relying on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.364, or the investigation of the resident's allegations?	yes
115.317 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents 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 residents 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 residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the bullet immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with residents 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 residents 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 residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.317 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with residents?	yes
115.317 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with residents, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with residents, does the agency: Consult any child abuse registry maintained by the State or locality in which the employee would work?	yes
	Before hiring new employees who may have contact with residents, 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
115.317 (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 residents?	yes
	Does the agency consult applicable child abuse registries before enlisting the services of any contractor who may have contact with residents?	yes

115.317 (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 residents or have in place a system for otherwise capturing such information for current employees?	yes
115.317 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with residents 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 residents 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
115.317 (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
115.317 (h)	Hiring and promotion decisions	
	Unless prohibited by law, 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
115.318 (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 residents 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
115.318 (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 residents 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
115.321 (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

115.321 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth? (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
115.321 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all residents who experience 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
115.321 (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?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.321 (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
115.321 (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 entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency is not responsible for investigating allegations of sexual abuse.)	yes
115.321 (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? (Check N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.321(d) above.)	na

115.322 (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
115.322 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy 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
115.322 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.321(a))	yes
115.331 (a)	Employee training	
	Does the agency train all employees who may have contact with residents on: Its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents 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 residents on: Residents' right to be free from sexual abuse and sexual harassment	yes
	Does the agency train all employees who may have contact with residents on: The right of residents 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 residents on: The dynamics of sexual abuse and sexual harassment in juvenile facilities?	yes
	Does the agency train all employees who may have contact with residents on: The common reactions of juvenile victims of sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: How to detect and respond to signs of threatened and actual sexual abuse and how to distinguish between consensual sexual contact and sexual abuse between residents?	yes
	Does the agency train all employees who may have contact with residents on: How to avoid inappropriate relationships with residents?	yes
	Does the agency train all employees who may have contact with residents on: How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents?	yes
	Does the agency train all employees who may have contact with residents on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
	Does the agency train all employees who may have contact with residents on: Relevant laws regarding the applicable age of consent?	yes

115.331 (b)	Employee training	
	Is such training tailored to the unique needs and attributes of residents of juvenile facilities?	yes
	Is such training tailored to the gender of the residents at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa?	yes
115.331 (c)	Employee training	
	Have all current employees who may have contact with residents 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
115.331 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.332 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.332 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with residents 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 residents)?	yes
115.332 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.333 (a)	Resident education	
	During intake, do residents receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
	Is this information presented in an age-appropriate fashion?	yes

115.333 (b)	Resident education	
	Within 10 days of intake, does the agency provide age-appropriate comprehensive education to residents either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 10 days of intake, does the agency provide age-appropriate comprehensive education to residents either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 10 days of intake, does the agency provide age-appropriate comprehensive education to residents either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.333 (c)	Resident education	
	Have all residents received such education?	yes
	Do residents receive education upon transfer to a different facility to the extent that the policies and procedures of the resident's new facility differ from those of the previous facility?	yes
115.333 (d)	Resident education	
	Does the agency provide resident education in formats accessible to all residents including those who: Are limited English proficient?	yes
	Does the agency provide resident education in formats accessible to all residents including those who: Are deaf?	yes
	Does the agency provide resident education in formats accessible to all residents including those who: Are visually impaired?	yes
	Does the agency provide resident education in formats accessible to all residents including those who: Are otherwise disabled?	yes
	Does the agency provide resident education in formats accessible to all residents including those who: Have limited reading skills?	yes
115.333 (e)	Resident education	
	Does the agency maintain documentation of resident participation in these education sessions?	yes
115.333 (f)	Resident education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats?	yes
115.334 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.331, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received 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 115.321(a).)	yes

115.334 (b)	Specialized training: Investigations	
	Does this specialized training include: Techniques for interviewing juvenile sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.321(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 115.321(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 115.321(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 115.321(a).)	yes
115.334 (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 115.321(a).)	yes
115.335 (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 juvenile 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
115.335 (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
115.335 (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

115.335 (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 §115.331? (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
	Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.332? (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
115.341 (a)	Obtaining information from residents	
	Within 72 hours of the resident's arrival at the facility, does the agency obtain and use information about each resident's personal history and behavior to reduce risk of sexual abuse by or upon a resident?	yes
	Does the agency also obtain this information periodically throughout a resident's confinement?	yes
115.341 (b)	Obtaining information from residents	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes
115.341 (c)	Obtaining information from residents	
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Prior sexual victimization or abusiveness?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Any gender nonconforming appearance or manner or identification as lesbian, gay, bisexual, transgender, or intersex, and whether the resident may therefore be vulnerable to sexual abuse?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Current charges and offense history?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Age?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Level of emotional and cognitive development?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Physical size and stature?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Mental illness or mental disabilities?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Intellectual or developmental disabilities?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Physical disabilities?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: The resident's own perception of vulnerability?	yes
	During these PREA screening assessments, at a minimum, does the agency attempt to ascertain information about: Any other specific information about individual residents that may indicate heightened needs for supervision, additional safety precautions, or separation from certain other residents?	yes

115.341 (d)	Obtaining information from residents	
	Is this information ascertained: Through conversations with the resident during the intake process and medical mental health screenings?	yes
	Is this information ascertained: During classification assessments?	yes
	Is this information ascertained: By reviewing court records, case files, facility behavioral records, and other relevant documentation from the resident's files?	yes
115.341 (e)	Obtaining information from residents	
	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 resident's detriment by staff or other residents?	yes
115.342 (a)	Placement of residents	
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Housing Assignments?	yes
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Bed assignments?	yes
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Work Assignments?	yes
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Education Assignments?	yes
	Does the agency use all of the information obtained pursuant to § 115.341 and subsequently, with the goal of keeping all residents safe and free from sexual abuse, to make: Program Assignments?	yes
115.342 (b)	Placement of residents	
	Are residents isolated from others only as a last resort when less restrictive measures are inadequate to keep them and other residents safe, and then only until an alternative means of keeping all residents safe can be arranged?	yes
	During any period of isolation, does the agency always refrain from denying residents daily large-muscle exercise?	yes
	During any period of isolation, does the agency always refrain from denying residents any legally required educational programming or special education services?	yes
	Do residents in isolation receive daily visits from a medical or mental health care clinician?	yes
	Do residents also have access to other programs and work opportunities to the extent possible?	yes

115.342 (c)	Placement of residents	
	Does the agency always refrain from placing: Lesbian, gay, and bisexual residents in particular housing, bed, or other assignments solely on the basis of such identification or status?	yes
	Does the agency always refrain from placing: Transgender residents in particular housing, bed, or other assignments solely on the basis of such identification or status?	yes
	Does the agency always refrain from placing: Intersex residents in particular housing, bed, or other assignments solely on the basis of such identification or status?	yes
	Does the agency always refrain from considering lesbian, gay, bisexual, transgender, or intersex identification or status as an indicator or likelihood of being sexually abusive?	yes
115.342 (d)	Placement of residents	
	When deciding whether to assign a transgender or intersex resident to a facility for male or female residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns residents 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 residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems?	yes
115.342 (e)	Placement of residents	
	Are placement and programming assignments for each transgender or intersex resident reassessed at least twice each year to review any threats to safety experienced by the resident?	yes
115.342 (f)	Placement of residents	
	Are each transgender or intersex resident'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
115.342 (g)	Placement of residents	
	Are transgender and intersex residents given the opportunity to shower separately from other residents?	yes
115.342 (h)	Placement of residents	
	If a resident is isolated pursuant to paragraph (b) of this section, does the facility clearly document: The basis for the facility's concern for the resident's safety? (N/A for h and i if facility doesn't use isolation?)	yes
	If a resident is isolated pursuant to paragraph (b) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged? (N/A for h and i if facility doesn't use isolation?)	yes
115.342 (i)	Placement of residents	
	In the case of each resident who is isolated as a last resort when less restrictive measures are inadequate to keep them and other residents safe, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes

115.351 (a)	Resident reporting	
	Does the agency provide multiple internal ways for residents to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: 2. Retaliation by other residents or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.351 (b)	Resident reporting	
	Does the agency also provide at least one way for residents 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 resident reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the resident to remain anonymous upon request?	yes
	Are residents detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security to report sexual abuse or harassment?	yes
115.351 (c)	Resident reporting	
	Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Do staff members promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.351 (d)	Resident reporting	
	Does the facility provide residents with access to tools necessary to make a written report?	yes
115.351 (e)	Resident reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of residents?	yes
115.352 (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 resident grievances regarding sexual abuse. This does not mean the agency is exempt simply because a resident 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
115.352 (b)	Exhaustion of administrative remedies	
	Does the agency permit residents 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 resident 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

115.352 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: A resident 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
115.352 (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 residents in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency determines that the 90 day timeframe is insufficient to make an appropriate decision and claims an extension of time (the maximum allowable extension of time to respond is 70 days per 115.352(d)(3)) , does the agency notify the resident 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 resident does not receive a response within the time allotted for reply, including any properly noticed extension, may a resident consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.352 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, permitted to assist residents 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 residents? (If a third party, other than a parent or legal guardian, files such a request on behalf of a resident, 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 resident declines to have the request processed on his or her behalf, does the agency document the resident's decision? (N/A if agency is exempt from this standard.)	yes
	Is a parent or legal guardian of a juvenile allowed to file a grievance regarding allegations of sexual abuse, including appeals, on behalf of such juvenile? (N/A if agency is exempt from this standard.)	yes
	If a parent or legal guardian of a juvenile files a grievance (or an appeal) on behalf of a juvenile regarding allegations of sexual abuse, is it the case that those grievances are not conditioned upon the juvenile agreeing to have the request filed on his or her behalf? (N/A if agency is exempt from this standard.)	yes

115.352 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that a resident 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 a resident 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 resident 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
115.352 (g)	Exhaustion of administrative remedies	
	If the agency disciplines a resident for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the resident filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
115.353 (a)	Resident access to outside confidential support services and legal representation	
	Does the facility provide residents with access to outside victim advocates for emotional support services related to sexual abuse by providing, posting, or otherwise making accessible 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?	yes
	Does the facility enable reasonable communication between residents and these organizations and agencies, in as confidential a manner as possible?	yes
115.353 (b)	Resident access to outside confidential support services and legal representation	
	Does the facility inform residents, 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
115.353 (c)	Resident access to outside confidential support services and legal representation	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide residents 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

115.353 (d)	Resident access to outside confidential support services and legal representation	
	Does the facility provide residents with reasonable and confidential access to their attorneys or other legal representation?	yes
	Does the facility provide residents with reasonable access to parents or legal guardians?	yes
115.354 (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 a resident?	yes
115.361 (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 they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding retaliation against residents 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 they receive regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.361 (b)	Staff and agency reporting duties	
	Does the agency require all staff to comply with any applicable mandatory child abuse reporting laws?	yes
115.361 (c)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials and designated State or local services agencies, are staff prohibited 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
115.361 (d)	Staff and agency reporting duties	
	Are medical and mental health practitioners required to report sexual abuse to designated supervisors and officials pursuant to paragraph (a) of this section as well as to the designated State or local services agency where required by mandatory reporting laws?	yes
	Are medical and mental health practitioners required to inform residents of their duty to report, and the limitations of confidentiality, at the initiation of services?	yes

115.361 (e)	Staff and agency reporting duties	
	Upon receiving any allegation of sexual abuse, does the facility head or his or her designee promptly report the allegation to the appropriate office?	yes
	Upon receiving any allegation of sexual abuse, does the facility head or his or her designee promptly report the allegation to the alleged victim's parents or legal guardians unless the facility has official documentation showing the parents or legal guardians should not be notified?	yes
	If the alleged victim is under the guardianship of the child welfare system, does the facility head or his or her designee promptly report the allegation to the alleged victim's caseworker instead of the parents or legal guardians? (N/A if the alleged victim is not under the guardianship of the child welfare system.)	yes
	If a juvenile court retains jurisdiction over the alleged victim, does the facility head or designee also report the allegation to the juvenile's attorney or other legal representative of record within 14 days of receiving the allegation?	yes
115.361 (f)	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
115.362 (a)	Agency protection duties	
	When the agency learns that a resident is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the resident?	yes
115.363 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that a resident 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
	Does the head of the facility that received the allegation also notify the appropriate investigative agency?	yes
115.363 (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
115.363 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.363 (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

115.364 (a)	Staff first responder duties	
	Upon learning of an allegation that a resident 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 a resident 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 a resident 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 a resident 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
115.364 (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
115.365 (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
115.366 (a)	Preservation of ability to protect residents 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 limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	no
115.367 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.367 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services?	yes

115.367 (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 residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by residents 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 residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents 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 resident 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: Resident 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: Resident 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
115.367 (d)	Agency protection against retaliation	
	In the case of residents, does such monitoring also include periodic status checks?	yes
115.367 (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
115.368 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect a resident who is alleged to have suffered sexual abuse subject to the requirements of § 115.342?	yes
115.371 (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 does not conduct any form of administrative or criminal investigations of sexual abuse or harassment. See 115.321(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency does not conduct any form of administrative or criminal investigations of sexual abuse or harassment. See 115.321(a).)	yes

115.371 (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 involving juvenile victims as required by 115.334?	yes
115.371 (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
115.371 (d)	Criminal and administrative agency investigations	
	Does the agency always refrain from terminating an investigation solely because the source of the allegation recants the allegation?	yes
115.371 (e)	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
115.371 (f)	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 resident or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.371 (g)	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
115.371 (h)	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
115.371 (i)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.371 (j)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.371(g) and (h) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years unless the abuse was committed by a juvenile resident and applicable law requires a shorter period of retention?	yes
115.371 (k)	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 facility or agency does not provide a basis for terminating an investigation?	yes

115.371 (m)	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 115.321(a).)	yes
115.372 (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
115.373 (a)	Reporting to residents	
	Following an investigation into a resident's allegation of sexual abuse suffered in the facility, does the agency inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.373 (b)	Reporting to residents	
	If the agency did not conduct the investigation into a resident'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 resident? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
115.373 (c)	Reporting to residents	
	Following a resident'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 posted within the resident's unit?	yes
	Following a resident'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 a resident'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 a resident'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
115.373 (d)	Reporting to residents	
	Following a resident's allegation that he or she has been sexually abused by another resident, 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 a resident's allegation that he or she has been sexually abused by another resident, 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
115.373 (e)	Reporting to residents	
	Does the agency document all such notifications or attempted notifications?	yes

115.376 (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
115.376 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.376 (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
115.376 (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
115.377 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with residents?	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
115.377 (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 residents?	yes
115.378 (a)	Interventions and disciplinary sanctions for residents	
	Following an administrative finding that a resident engaged in resident-on-resident sexual abuse, or following a criminal finding of guilt for resident-on-resident sexual abuse, may residents be subject to disciplinary sanctions only pursuant to a formal disciplinary process?	yes

115.378 (b)	Interventions and disciplinary sanctions for residents	
	Are disciplinary sanctions commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories?	yes
	In the event a disciplinary sanction results in the isolation of a resident, does the agency ensure the resident is not denied daily large-muscle exercise?	yes
	In the event a disciplinary sanction results in the isolation of a resident, does the agency ensure the resident is not denied access to any legally required educational programming or special education services?	yes
	In the event a disciplinary sanction results in the isolation of a resident, does the agency ensure the resident receives daily visits from a medical or mental health care clinician?	yes
	In the event a disciplinary sanction results in the isolation of a resident, does the resident also have access to other programs and work opportunities to the extent possible?	yes
115.378 (c)	Interventions and disciplinary sanctions for residents	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a resident's mental disabilities or mental illness contributed to his or her behavior?	yes
115.378 (d)	Interventions and disciplinary sanctions for residents	
	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 offer the offending resident participation in such interventions?	yes
	If the agency requires participation in such interventions as a condition of access to any rewards-based behavior management system or other behavior-based incentives, does it always refrain from requiring such participation as a condition to accessing general programming or education?	yes
115.378 (e)	Interventions and disciplinary sanctions for residents	
	Does the agency discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
115.378 (f)	Interventions and disciplinary sanctions for residents	
	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
115.378 (g)	Interventions and disciplinary sanctions for residents	
	Does the agency always refrain from considering non-coercive sexual activity between residents to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between residents.)	yes
115.381 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.341 indicates that a resident has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the resident is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes
115.381 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.341 indicates that a resident has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the resident is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening?	yes

115.381 (c)	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
115.381 (d)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from residents before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the resident is under the age of 18?	yes
115.382 (a)	Access to emergency medical and mental health services	
	Do resident 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
115.382 (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 staff first responders take preliminary steps to protect the victim pursuant to § 115.362?	yes
	Do staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.382 (c)	Access to emergency medical and mental health services	
	Are resident 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
115.382 (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
115.383 (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 residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.383 (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
115.383 (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
115.383 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are resident victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.)	yes
115.383 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.383(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.)	yes

115.383 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are resident victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.383 (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
115.383 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners?	yes
115.386 (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
115.386 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.386 (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
115.386 (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 §§ 115.386(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.386 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.387 (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
115.387 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes

115.387 (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
115.387 (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
115.387 (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 residents? (N/A if agency does not contract for the confinement of its residents.)	na
115.387 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
115.388 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.387 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 § 115.387 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 § 115.387 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
115.388 (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
115.388 (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
115.388 (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
115.389 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.387 are securely retained?	yes
115.389 (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

115.389 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.389 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.387 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes
115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	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.)	no
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
115.401 (n)	Frequency and scope of audits	
	Were inmates, residents, and detainees 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