

PREA AUDIT REPORT Interim Final

ADULT PRISONS & JAILS

Date of report: 05/06/17

Auditor Information			
Auditor name: Patrick J. Zirpoli			
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Telephone number: 570-729-4131			
Date of facility visit: April 11, 2017 & April 12, 2017			
Facility Information			
Facility name: Columbia County Prison			
Facility physical address: 721 Iron Street Bloomsburg, PA 17815			
Facility mailing address: <i>(if different from above)</i>			
Facility telephone number: 570-784-4815			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Warden David Varano			
Number of staff assigned to the facility in the last 12 months: 92			
Designed facility capacity: 250			
Current population of facility: 204			
Facility security levels/inmate custody levels: work release through maximum			
Age range of the population: 18yrs. And older			
Name of PREA Coordinator: Meghan Zielecki		Title: PREA Coordinator/Security Office	
Email address: www.mzielecki@columbiapa.org		Telephone number: 570-784-4815 ext. 6332	
Agency Information			
Name of agency:			
Governing authority or parent agency: <i>(if applicable)</i>			
Physical address:			
Mailing address: <i>(if different from above)</i>			
Telephone number:			
Agency Chief Executive Officer			
Name:		Title:	
Email address:		Telephone number:	
Agency-Wide PREA Coordinator			
Name:		Title:	
Email address:		Telephone number:	

AUDIT FINDINGS

NARRATIVE

The Prison Rape Elimination Act (PREA) audit of the Columbia County Prison took place on April 11th and 12th 2017. The purpose of the audit was to determine compliance with the Prison Rape Elimination Act standards which became effective August 20, 2012. Prior to the on-site portion of the audit I reviewed all policies and data pertaining to the PREA Standards. The facility was posted prior to the audit, allowing ample time for inmates and staff to respond. The facility remains posted until issuance of the final report, no inmates or staff responded to me. I forwarded a flash drive to the facility, the flash drive was returned to me on March 28, 2017 allowing ample time for review of all documentation. All additional documentation requested by me was provided in a timely and efficient manner, any follow up requests were acted upon immediately.

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

Prior to the onsite audit I had several opportunities to discuss the audit process, and expectations of the facility with PREA Coordinator Megan Zielecki.

Upon arriving on April 11, 2017 I met with the Warden, and Deputy Warden. After the brief meeting PREA Coordinator Zielecki and I conducted a facility tour. During this tour informal interviews were conducted with both staff and inmates in several different areas. All areas of the facility were toured.

A total of sixteen inmate interviews were conducted. The inmates were randomly selected from all housing units and represented the overall inmate population. The selected inmates included those who have identified as gay or bisexual, and inmates identified as high risk for sexual victimization.

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

Throughout the pre-audit and onsite audit, open and positive communication was established with all staff at the facility. Through the coordinated efforts of these staff members the auditing process was efficient and all requests were met.

An exit briefing was conducted on April 12, 2017. I gave an overview of the audit findings and thanked the staff for their cooperation during the audit process. No areas of non-compliance were noted. The facility has improved in several areas from their initial audit, these areas are identified in the specific standards.

I need to recognize PREA Coordinator Megan Zielecki for her commitment to the implementation of the Prison Rape Elimination Act, and overall sexual safety of the facility. It is through this dedication that the facility performed extremely well. Since the last audit she has put into place several new initiatives to ensure that all of the standards are being met on a daily basis.

Although the facility is in compliance with all standards, they need to address the Mental Health Care provided to the inmates at the facility. The facility does not have any full time mental health staff, and utilize a part time service for any mental health evaluations or issues that arise. The facility needs to explore options of full time mental health staff available at the facility to ensure that the mental health needs of the inmates are being addressed.

I utilized an overall methodology to make my determination of compliance with the standards. This included a PREA Audit Report

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

DESCRIPTION OF FACILITY CHARACTERISTICS

The Columbia County Prison is located in Bloomsburg Pennsylvania. The immediate area surrounding the facility is best described as residential with some commercial properties.

Columbia County Prison was originally built in 1877 for a population of 50 prisoners. A major renovation and expansion was completed in 1995, allowing for a population of approximately 150. Recently, additional beds have been added and the capacity is 250 inmates. The prison houses male and female pre-trial detainees and sentenced inmates up to one day less than five years. Additionally, they house male and female federal inmates and Pennsylvania Act 122 Technical Parole violators.

The facility is constructed in a unique manor, with central control being located in the center of the main hallway. This allows the central control officer to have a view of the entire hallway. Central control also controls all doors within the facility and is equipped with the monitors for the surveillance cameras.

Access to the facility is controlled by central control utilizing surveillance cameras and locked doors that can only be opened by the control officer.

The facility has seven housing units, five multiple cell housing units and two open bay style housing units. The overall cell construction limits any view of an inmate when they are changing or toileting. The open bay style housing units have bathrooms and shower areas that are out of direct view of staff and cameras.

All showers throughout the facility have shower curtains that allow privacy while showering.

The facility also has eleven segregation cells, which are utilized for restrictive housing and protective custody.

All meals are prepared in the kitchen, which is staffed with cooks, and utilizes inmate helpers. The food is prepared, placed on trays and all inmates eat on their respective blocks.

During the last 12 months 1,716 inmates have been admitted to the facility, with 1587 staying for 72 hours or more and 826 staying for 30 days or more.

The facility employs 92 staff that have contact with inmates.

The facility holds a contract with the United States Marshalls Service and the Pennsylvania Department of Corrections. The facility houses inmates for both entities.

SUMMARY OF AUDIT FINDINGS

Columbia County Prison has exceeded in 5 standards, have met 38 standards.

This determination was made after reviewing all materials provided during the pre-audit, the interviews and facility tour conducted during the audit, and the final review of all findings.

Number of standards exceeded: 5

Number of standards met: 38

Number of standards not met: 0

Number of standards not applicable: 0

Standard 115.11 Zero tolerance of sexual abuse and sexual harassment

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses the agencies zero tolerance to sexual abuse and sexual harassment. The policy Reads as follows:

Section 1 – Sexual Abuse/Sexual Harassment Prevention and Training

A. Prevention

Columbia County Prison will take appropriate actions to ensure zero tolerance toward all forms of sexual abuse and sexual harassment in order to promote the safety of inmates. Columbia County Prison will implement federal Prison Rape Elimination Act (PREA) Standards to ensure that all aspects of operations work toward preventing, detecting, and responding to such conduct resulting in a safer environment. (§115.11)

B. Statewide PREA Coordinator and PREA Compliance Manager Duties

- (1) There is one PREA Coordinator responsible for the Columbia County Prison. The PREA Coordinator's sole responsibility is to develop, implement, and oversee prison efforts to comply with the federal PREA Standards within Columbia County Prison. The PREA Coordinator will have the authority to make necessary decisions to ensure compliance and report directly to the Warden or his designee, and shall be responsible for the below listed duties. (§115.11)*
 - (1) Develop and revise policy that meets, at a minimum, the published federal PREA Standards, as well as incorporating best practices for the trauma-informed care of victims of sexual abuse and harassment in a confinement setting.*
 - (2) Develop and revise PREA-related curriculum and materials for training of inmates.*
 - (3) Work with the Training Officer to develop and revise PREA-related curriculum and materials for training of staff, volunteers, contract service providers, and interns.*
 - (4) Work with Warden, Security Lt. and Commissioners on an annual basis to assess, determine, and document whether adjustments are needed to: the staffing plan, deployment of the video monitoring systems and other monitoring technologies, and the resources the facility has available to commit to ensure adherence to the staffing plan. The PREA Coordinator will also review any documentation for non-compliance with a staffing plan. (§115.11, 115.13)*
 - (5) Coordinate with the Pennsylvania Coalition Against Rape (PCAR), to ensure that the prison is providing all related parties with the most current information on sexual abuse and harassment.*
 - (6) Coordinate with the Bloomsburg PD and/or Pennsylvania State Police (PSP) regarding*

investigation and referral of sexual abuse cases that occurred while the inmate is under the supervision of the Columbia County Prison.

- (7) *Remain up-to-date with PREA information as it becomes available through the PREA Resource Center, Department of Justice, or other credible source relating to PREA.*
- (8) *Ensure retaliation of inmates is monitored*
 - a. *those that have reported institutional sexual abuse or sexual harassment allegations;*
 - b. *those that have suffered sexual abuse; and/or*
 - c. *those that have expressed a fear of retaliation due to cooperation with an investigation of an incident related to this procedures manual.*
- (a) *Keep an updated list of all multi-lingual staff at the facility that would be able to provide translation for any PREA related issue.*
- (b) *Conduct and document unannounced rounds to identify and deter sexual abuse and sexual harassment in accordance with standard. (§115.13)*
- (c) *Ensure that when the prison staff learn that an inmate is subject to a substantial risk of imminent sexual abuse, appropriate and immediate action will be taken to protect that inmate. (§115.62)*
- (d) *Ensure PREA administrative tours are conducted*
- (e) *Ensure that when staff learn that a resident is subject to a substantial risk of imminent sexual abuse: appropriate, immediate action will be taken to protect that resident*
- (f) *Ensure that staff do no conduct interviews or collect statements from anyone unless directed by the Security Lt.*
- (g) *Coordinate services provided to alleged victims including medical, mental health and crisis counseling*

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

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

The agency has designated Meghan Zielecki as the PREA Coordinator. During the interview she related that she has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. It should be noted that the PREA Coordinator is in the top one third of the rank structure.

Standard 115.12 Contracting with other entities for the confinement of inmates

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses contracting with other facilities. The policy Reads as follows:

Contracting with Other Entities for Housing Inmates

- a. The prison shall include in any new contract or contract renewal for the housing of an inmate (on or after the effective date of this procedure) with a private entity or other entity, including other government agencies, the entity's obligation to adopt and comply with the PREA Standards and Columbia County's policies related to PREA compliance. (§115.12)*
- b. The contracted entity will undergo regular, mandated audits on a three-year basis, as required by the National PREA Standards.*
- c. The prison shall provide for contract monitoring to ensure that the contract service provider is complying with the PREA Standards with any new contract or contract renewal. (§115.12)*

The facility has an MOU with both Montour and Lycoming Counties to house inmates. Both counties are following the PREA Standards, but have not been audited to date.

This was confirmed through direct contact with both Montour and Lycoming County jails.

Standard 115.13 Supervision and monitoring

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses supervision and monitoring. The policy Reads as follows:

Supervision Staffing and Monitoring

Columbia County shall ensure that it develops, documents, and makes its best efforts to comply on a regular basis, but no less than once a year, with a staffing plan as found in Prison Policy #076-2010, that provides for adequate

levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. (§115.13)

- (1) *In calculating adequate staffing levels and determining the need for video monitoring, the prison shall take into consideration:*
 - (1) *generally accepted detention and correctional practices;*
 - (2) *any judicial findings of inadequacy;*
 - (3) *any findings of inadequacy from Federal investigative agencies;*
 - (4) *any findings of inadequacy from internal or external oversight bodies;*
 - (5) *all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated);*
 - (6) *the composition of the inmate population;*
 - (7) *the number and placement of supervisory staff;*
 - (8) *facility programs occurring on a particular shift;*
 - (9) *any applicable State or local laws, regulations, or standards;*
 - (10) *the prevalence of substantiated and unsubstantiated incidents of sexual abuse; and*
 - (11) *any other relevant factors.*
- (2) *In circumstances of non-compliance with the staffing plan, the Warden/designee shall document, in writing, and justify all deviations from the plan. (§115.13) This*
- (3) *Whenever necessary, but no less frequently than once a year, the Prison shall assess, determine, and document whether adjustments are needed to: (§115.13)*
 - a. *the facility's deployment of video monitoring systems and other monitoring technologies; and (§115.13)*
 - b. *the resources the prison has available to commit to ensure adherence to the staffing plan. (§115.13)*
- (4) *The annual reviews will be conducted in consultation with the Warden, Deputy Warden, Security Lt. and the PREA Coordinator. (§115.13)*

The policy further states:

PREA Administrative Tour

- A. *PREA administrative tours shall be conducted by intermediate-higher level supervisors or management level employees to identify and deter staff sexual abuse and sexual harassment.*
- B. *These tours are unannounced and will be conducted at various times each month to ensure every shift is toured.*
- C. *Staff Shall:*
 - A. *pay attention to the staff and video monitoring of each unit to detect areas that may need updates to ensure the sexual safety of the prison*
 - B. *talk with staff and inquire about any perceived areas of concern*
- D. *PREA administrative tours will be documented on the "Unannounced Rounds Form"*

The facility has a staffing plan that addresses all issues related to staffing of the facility. This staffing plan is outlined in the Columbia County Prison Procedures for Staffing Policy #076-2010. The policy states the following:

To maintain a safe and secure work environment for Columbia County Prison Staff; to ensure fairness in the treatment of inmates; and generally to maintain a high degree of professionalism in the operation of Columbia County Prison.

The Columbia County Prison will provide care, custody, and control for male and female inmates on a 24 hour basis. Correctional staff will be assigned regardless of gender.

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

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

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

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

The agency has implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment. This policy is implemented during all shifts. The policy further prohibits staff from alerting other staff members that these supervisory rounds are occurring.

During the interviews with the supervisors I found that they are conducting unannounced rounds throughout the facility. I confirmed this by identifying their signatures in the logbooks on the blocks. This was also verified during the random staff and inmate interviews.

The facility always has female staff on duty to provide supervision for the female inmates.

Standard 115.14 Youthful inmates

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses youthful inmates. The policy Reads as follows:

Housing of Youthful Inmates

- (1) A youthful inmate (under the age of 18) shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through the use of a shared dayroom or other common space, shower area, or sleeping quarters. (§115.14)*

- (2) *In areas outside of housing units, the facility shall either:*
 - a. *maintain sight and sound separation between youthful inmates and adult inmates; or (§115.14)*
 - b. *provide direct security staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact. (§115.14)*

- (3) *The Prison shall make every effort to avoid placing youthful inmates in isolation to comply with this provision. Absent exigent circumstances, the Prison shall not deny youthful inmates daily large muscle exercise and any legally required special education services to comply with this provision. Youthful inmates shall have access to other programs and work opportunities to the greatest extent possible. (§115.14)*

The housing of juvenile offenders is further outlines in Procedures for Secure Detention of Juveniles Policy #089-2010, this policy state the following:

Housing of Juveniles in this Institution:

1. *Juveniles placed in this institution will be housed alone or with other juveniles in similar detention and out of sound and sight of all adult inmates.*
2. *Juveniles will be given daily exercise for a minimum of one (1) hour daily alone or with other juveniles in similar detention and out of sight and sound of adult inmates*
3. *All juveniles will remain on a fifteen (15) minute watch for the entirety of their detention, unless otherwise directed by the Administration.*
4. *Juveniles will receive phone calls and visitation by request to the administration.*
5. *Approved visitation request will be fulfilled during the time allotted for special visits and the juvenile will be alone in the visitation area or with other juveniles in similar detention.*
- **Juveniles will never visit with adult inmates***
6. *Juveniles will be allowed to be out of their cell without mechanical restrains unless their conduct dictates restrains are required according to Policy # 71-2010 Use of Force, as with any other detainee.*
7. *A juvenile Secure Detention Log Book will be maintained in intake/booking area at all times.*
8. *The Log book will list the following information:*
 - a. *Date of commitment*
 - b. *Detainee's name*
 - c. *Detainee's date of birth*
 - d. *Detainee's age*
 - e. *Detainee's committing agency (law enforcement agency)*
 - f. *Committing Authority (name of judge)*
 - g. *Detainee's charges*
9. *The log book will be reviewed by the Watch Commander on each watch.*

The facility dictates in the above policy housing of youthful inmates. This policy ensures that a youthful inmate is not placed in a housing adult unit, and further states they will not share common areas, bathrooms, dayrooms, or sleeping areas with adult inmates. The policy further states that when a youthful inmate is outside of the housing

unit they are under direct supervision.

The facility does not place youthful inmates in isolation to comply with this standard.

The facility housed three youthful inmates from January 18, 2017 through January 30, 2017. The youthful inmates were placed on a housing unit alone and separated by sight and sound from all adult offenders. They were offered education through the Bloomsburg High School, and were allowed programming and recreation.

I reviewed the log book utilized on the housing unit when the inmates were in custody and found that all information pertaining to the juveniles was documented.

Standard 115.15 Limits to cross-gender viewing and searches

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses cross gender viewing and searches. The policy Reads as follows:

I. Cross-Gender Viewing, Searches and Supervision

- (1) Staff shall not conduct cross-gender strip searches except in exigent circumstances, in accordance with PREA Standard (§115.15)
 - (1) All cross gender strip searches shall be documented on a CCP Incident Report*
 - (2) A copy of the Incident Report shall be maintained by the Security Office in an annual file for audit verification purposes.**
- (2) Non-medical staff is prohibited from performing visual body cavity searches. These searches shall only be conducted when performed by medical practitioners, in accordance with PREA Standard (§115.15) Additional documentation is not required for this purpose.*
- (3) Columbia County Prison does not permit cross-gender pat down searches of inmates, absent exigent circumstances. Columbia County Prison does not restrict female inmates' access to regularly available programming or other out-of-cell opportunities. (§115.15)*
- (4) Inmates shall be able 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. This limitation not only applies to in-person viewing, but also all forms of remote viewing as well. (§115.15)*
- (5) Staff of the opposite gender shall announce their presence when entering an inmate housing unit in accordance with the following: (§115.15)*

1. *The announcement is required for both custody and non-custody staff, and may include, for example, a clinician or case worker who spends time on the unit, or senior staff making supervisory rounds;*
 2. *when an opposite gender staff member is entering a housing unit and it is unknown to him/her whether any other opposite gender staff are present, the entering staff member will announce their presence;*
 3. *this announcement may be made by the officer working the unit via the intercom system; and*
- (6) *Staff shall be trained in how to conduct cross-gender pat searches, and in searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs and Prison policy #095-2014 (§115.15[*

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses cross gender viewing and searches. The policy Reads as follows:

The Columbia County Prison Policy on Transgender Inmates Policy# 095-2014 further addresses any issues with any inmate identified as LGBTI. This policy reads in part as follows:

It is the policy of the Columbia County Prison to establish procedures for the intake, housing and medical treatment of transgender inmates. CCP does not discriminate on the basis of sex, sexual orientation or gender identity expression.

In accordance with the Prison Rape Elimination Act (PREA) and Columbia County Prison Inmate Sexual Assault/Abuse Prevention Policy # 092-2013, CCP has a zero tolerance for incidents of inmate-on-inmate sexual assault/harassment and staff sexual misconduct/harassment towards inmates. Staff shall ensure that a transgender inmate classification and housing assignment provides a safe, humane and secure environment free from the threat of sexual assault/harassment and staff sexual misconduct/harassment.

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

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

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

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

The facility does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. All staff interviewed understood that gender should be determined through conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of

a broader medical examination conducted in private by a medical practitioner. This was confirmed with the medical staff during interviews.

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

The facility has cameras throughout the facility in all common areas. I reviewed the surveillance system monitors and confirmed that the views of the cameras do not allow for any cross gender viewing of an inmate.

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

The PREA Coordinator has affixed reminders for staff at the entrances to the housing units to announce their presence prior to entry. The facility has also implemented a system of dual shower curtains in several areas to eliminate any possibility of cross gender viewing while inmates are showering or changing clothes.

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

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses inmates with disabilities. The policy Reads as follows:

Access to Information for Special Populations

- a. Columbia County Prison shall ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the Prisons efforts to prevent, detect, and respond to sexual abuse and sexual harassment. (§115.16)*
- b. Written materials will either be delivered in alternative formats that accommodate the inmate's disability or the information will be delivered through alternative methods, such as reading it to the inmate or communicating through an interpreter, which ensures the understanding of the PREA related material. (§115.16)*
- c. The Prison shall take reasonable steps to ensure meaningful access to all aspects of the Prisons efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide qualified interpreters. The PREA Coordinator will ensure that only staff members or qualified contractors, who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary, provide translation for inmates. (§115.16) If a multi-lingual staff member is not available, then the current contracted translation service must be utilized.*

- d. *Columbia County Prison shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter would compromise the inmate's safety, the performance of first response duties under PREA Standard §115.64, or the investigation of the inmate's allegations (§115.16). Justification for any use of an inmate assistant shall be documented accordingly.*

The facility has procedures in place to deal with inmates with disabilities and who are limited English speaking. They have never had an incident where they would utilize another inmate for interpretation, they would utilize staff or a language line. During the classification of the inmates they identify any issues concerning disabilities and take the appropriate actions needed to protect the inmate. The facility is equipped to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

Compliance in this area was determined by reviewing policies and procedures of the facility. During the random staff interviews I determined that they all understood the availability of interpreters, and further understood the importance of not utilizing inmates for interpretation during any incident.

At the time of the audit no disabled or non-English speaking inmates were being housed.

The facility provides all printed material in both English and Spanish, all posters throughout the facility are in both languages also. I was able to view the posters during the facility tour.

During my interviews with the facility investigators I confirmed that they would utilize outside sources for interpretation if needed.

The facility has entered into an agreement with Bloomsburg University Language Department to provide onsite interpretation during incidents if needed. This agreement enables the facility to provide interpretation for any inmate identified as non-English speaking or handicapped.

Standard 115.17 Hiring and promotion decisions

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

EVIDENCE OF COMPLIANCE:

The agency does not hire or promote any employees, nor hires any contractor that have:

1. Engaged in any sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution.
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 above

The agency considers 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 inmates.

Columbia County has a comprehensive hiring process that includes a criminal history background check and contact with prior employers. Criminal History background checks are being conducted every two years by Columbia County on all staff who have contact with inmates.

This was confirmed during the interviews at the facility, and during the review of the application and hiring process documents provided to me.

Standard 115.18 Upgrades to facilities and technologies

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses upgrade to the prison and technologies. The policy Reads as follows:

Upgrade to the Prison and Technologies

- a. Expansion or modification of the Prison, shall take into consideration the Prisons ability to protect inmates from sexual abuse. (§115.18)*
- b. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the Prison shall consider how such technology may enhance the Prisons ability to protect inmates from sexual abuse. (§115.18)*

No upgrades to technology need to be made at the facility, the video surveillance is more than adequate to cover the areas.

This was confirmed during the onsite interviews, and during the facility tour when I visually inspected the video surveillance.

During staff interviews I confirmed that the overall inmate and staff safety is taken into consideration if any enhancements were planned at the facility.

Standard 115.21 Evidence protocol and forensic medical examinations

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses evidence protocol and forensic examinations. The policy Reads as follows:

Emergency Medical and Mental Health Treatment Services

- a. Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical, mental health treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. (§115.82)*
- b. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim, in accordance with Prison Rape Elimination Act (PREA) Standard §115.62 and shall immediately notify the appropriate medical and mental health practitioners. (§115.82)*
- c. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Inmate victims of sexual abuse while incarcerated shall be offered test for sexually transmitted infections as medically appropriate. (§115.83)(§115.21)(§115.82).*
- d. Columbia County Prison shall provide alleged victims with medical and mental health services consistent with the community level of care. (§115.83)*

Medical

- (1) The Medical Department shall follow the appropriate procedures as follows*
- (2) The alleged victim shall be evaluated by medical personnel immediately, when there is an allegation of sexual abuse that involved physical contact, to ensure the absence of any injury requiring urgent treatment. The medical staff shall document any injuries.*

When abuse occurred within the past 96 hours and the alleged victim reports an allegation of vaginal, oral, and/or anal penetration by a body part or inanimate object, the following procedures shall be followed:

- 1. The alleged victim will be immediately transported to an outside hospital to be examined by a SAFE/SANE. If a SAFE/SANE is not available then a medical professional who is skilled and experienced in the use of a rape kit for the collection of forensic evidence. In order to determine the appropriate medical facility for transport, the following is required:*
- 2. If the inmate refuses to undergo the forensic exam, he/she must sign a Release from Responsibility for Medical Treatment.*

3. *The Medical Dept. shall complete all appropriate paperwork and forward a copy to the hospital. Any hospital records or reports returned with the inmate shall be maintained in the inmate's medical record.*
4. *Security staff shall take steps to preserve direct and circumstantial evidence, including any available physical or DNA evidence and shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. (§115.71) (§115.21)*
5. *Photographs are not to be taken of the alleged victim.*
6. *If there are any questions, the ER physician shall be contacted.*

The facility has a further policy addressing preservation of evidence, this policy is the Columbia County Prison Policy on Crime Scene/Evidence Preservation Policy #094-2014. The policy states the following:

The Columbia County Prison will establish procedures to preserve crime scenes and physical evidence for crimes that occur within Columbia County Prison to maximize the possibility of successful prosecutions and convictions.

All incidents are immediately responded to by the trained facility investigators, they are further trained in evidence identification and collection.

The agency conducts administrative investigations, all criminal investigations are conducted by the Bloomsburg Police Department. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for both administrative proceedings and criminal prosecutions. The protocol is developmentally appropriate for youthful inmates. The Columbia County Prison investigators work hand in hand with the Bloomsburg Police Department during the investigations. The Criminal investigators have also received training in evidence identification and collection.

These protocols are outlined in the above policy, all staff interviewed understood these protocols.

The facility transports all victims to Geisinger-Bloomsburg Hospital for forensic examinations, this hospital is equipped with Sexual Assault Nurse Examiners. These examinations are provided at no cost to the victim. The MOU is dated February 22, 2016.

The facility has also entered into an MOU with The Women's Center for victim advocacy. If requested by the victim, the victim advocate, will accompany and support the victim through the forensic medical examination process and investigatory interviews, providing emotional support, crisis intervention, information, and referrals. The MOU is dated June 17, 2014.

These above procedures were confirmed during the interviews with the facility investigators, and further confirmed during the review of the investigations, all offers of examinations and victim advocacy are documented.

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses policies to ensure referrals of allegations for investigations. The policy Reads as follows:

Investigating Allegations of Sexual Harassment and/or Sexual Abuse

Every report, complaint or allegation of sexual harassment/sexual abuse, including third party and anonymous reports, shall be investigated promptly, thoroughly, and objectively.

During the interviews with the staff they all understood their obligation to report any incident or suspected incident of sexual assault or sexual harassment. They also understood their civil liability as well as the specific Pennsylvania Crimes Codes Sections that apply to this incidents.

I reviewed all of the investigations conducted at the facility, all of these were reported to the proper authority for investigation, and were reported immediately by the staff members.

All of the investigations are being investigated by the proper authorities.

Standard 115.31 Employee training

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses staff training. The policy Reads as follows:

Training

a. Basic Staff Training

- (1) The PREA Coordinator, along with the Training Officer, shall ensure that all staff members are informed that sexual contact with an inmate is prohibited and that an inmate has a right to report if sexual contact occurs, through the basic PREA training. This training will include, at a minimum, the following*

information: (§115.31)

- a. *the zero tolerance policy against sexual abuse and sexual harassment within the Department; (§115.31)*
 - b. *how staff are to fulfill their responsibilities under the Prisons sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures as defined in this policy; (§115.31)*
 - c. *inmates' right to be free from sexual abuse and sexual harassment; (§115.31)*
 - d. *the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; (§115.31)*
 - e. *the dynamics of sexual abuse and sexual harassment in confinement; (§115.31)*
 - f. *the common reactions of sexual abuse and sexual harassment victims; (§115.31)*
 - g. *how to detect and respond to signs of threatened and actual sexual abuse; (§115.31)*
 - h. *how to avoid inappropriate relationships with inmates; (§115.31)*
 - i. *how to communicate effectively and professionally with inmates, including LGBTI or gender nonconforming inmates; and (§115.31)*
 - j. *how to comply with relevant laws of Pennsylvania related to mandatory reporting of sexual abuse to outside authorities. (§115.31)*
- (2) *Once the initial basic staff training has been completed for all staff members, newly hired staff members will receive this training as part of basic training.*
 - (3) *The "Breaking the Code of Silence Booklet" will be provided as part of the orientation packet for all new employees.*
 - (4) *Beginning in 2016, and every year thereafter, the annual PREA education will be provided in the form of a refresher of the initial basic staff training information for all staff members. Staff will be required to verify that they have received the updates and understand the included items on the PREA Training Signature Form to be kept in the staff member's training file. (§115.31)*

I reviewed the training materials used to train the staff, the training materials cover all aspects of the standard.

All staff interviewed related that they have received the initial training as well as yearly update training on PREA. All of the staff related that the training was extremely informative.

I reviewed all of the training logs and verified that all of the staff at the facility have been trained.

Standard 115.32 Volunteer and contractor training

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses contractors and volunteers training. The policy Reads as follows:

Contractors and Volunteers

1. *Contractors and volunteers (to include interns, contract service providers, public visitors, or Non-Department Employees) will receive training on their responsibilities under the Prisons sexual abuse and sexual harassment prevention, detection, and response policies and procedures. They will be trained reflective of the level of contact that they have with inmates. (§115.32)*
2. *All contractors and volunteers will be required to sign and acknowledge the PREA Training Signature Form. (§115.32) PREA Training will be effective for a period of one year. (§115.32) The signature sign off form will be kept by the PREA Coordinator in the Security Office.*

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

I interviewed the employees from the contracted kitchen staff. They informed me that they received the information and were well informed on their obligations under PREA.

Standard 115.33 Inmate education

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses inmate education. The policy Reads as follows:

Inmate Education

Each facility shall provide inmate education explaining the zero tolerance policy regarding sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuse, sexual harassment or retaliation, and what to do if he/she is the victim of such. This information shall be provided in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. (§115.33)

- a. *During the intake process, all inmates, including CCJ and TPVC inmates, shall receive information explaining the zero tolerance policy regarding sexual abuse and sexual harassment, and how to report incidents or suspicions of sexual abuse, sexual harassment or retaliation, and what to do if he/she is the victim of sexual abuse, sexual harassment, or retaliation. (§115.33).*
- b. *Within the first 30 days of reception, additional information will be provided to all inmates, including CCJ and TPVC's, during A&O (Admissions and Orientation). All inmates will be shown a video regarding their rights to be free from sexual abuse, sexual harassment, and retaliation. They will also be provided information regarding Prison policies and procedures for responding to such incidents. Inmate education*

may be provided to inmates individually or in groups. A staff member must be present at all times to facilitate discussion and to answer questions. (§115.33).

- c. The PREA video, “PREA: What You Need to Know” is available for use, this video is in Spanish and English, with subtitles. (§115.33)
 - A. Additionally, the PREA Coordinator is available to meet privately with any of the inmates if they request, to discuss issues related to the video.
- d. An inmate who did not receive the initial education shall receive this training within one year of the effective date of the PREA Standards. This education may be provided as a group presentation or individually during the inmate’s annual/semi-annual case review, as needed. (§115.33)
- e. Sexual abuse, sexual harassment, and retaliation training shall be documented by the inmate signing the PREA Inmate Education Verification Form. This form will be filed in the inmates file in the Records Dept. (§115.33).

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

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

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

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

Standard 115.34 Specialized training: Investigations

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses specialized training: investigations. The policy Reads as follows:

Specialized Staff Training

- (1) *Investigations - In addition to the Basic PREA Training provided to all staff, any staff designated to conduct sexual abuse administrative investigations shall receive additional training in accordance with PREA Standard §115.31 and specialized training: Investigations. (§115.34)*
 - (1) *This specialized training will include, but is not limited to: interviewing sexual abuse victims, proper use of Miranda warnings, and the Garrity rule, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecutorial referral. (§115.34)*

- (2) *This training will be facilitated by specially trained “PREA Specialized Security Training Teams.”.*
- (3) *Staff will be required to sign off that they have received the information and understand the included items on the PREA Training and Understanding Verification Form. This information will be kept in the staff member’s training file. (§115.34)*

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

I reviewed all investigations conducted during the past twelve months I found them to be complete and conducted in a timely manner. Overall the quality of the investigations are excellent.

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

Standard 115.35 Specialized training: Medical and mental health care

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Specialized training: Medical and mental health care. The policy Reads as follows:

Medical/Mental Health Practitioners - In addition to the Basic PREA Training, any staff providing medical/mental health services, whether on a full or part-time status, shall receive additional training on working with victims of sexual abuse and sexual harassment. (§115.35) For the purposes of this training requirement, medical staff will include all licensed medical staff, as well as non-licensed contact medical staff such as dental assistants, Correctional Health Care Administrators (CHCAs), and contracted provider staff.

- (1) *This specialized training will include, but is not limited to: how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence of sexual abuse, how to respond effectively and professionally to victims of sexual abuse and sexual harassment, and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. (§115.35)*
- (2) *This training will be coordinated by the statewide PREA Coordinator/designee.*
- (3) *All new medical/mental health staff shall receive this training within the first three months of employment with the Prison.*
- (4) *Staff will be required to sign off that they have received the information and understand the included items on the PREA Training Sign Off Form. This information will be kept in the staff member’s training file.*

(§115.35)

During the onsite audit I interviewed medical staff, during the interviews they informed me that they receive the training on PREA as well as the training on their obligations during an incident.

I further verified the training by visually inspecting the training logs.

Standard 115.41 Screening for risk of victimization and abusiveness

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses screening for risk of victimization and abusiveness. The policy Reads as follows:

Screening for Risk of Victimization and Abusiveness

- a. *All inmates shall be assessed during the intake screening process, whenever an inmate is involved in an incident of sexual abuse and at their annual review, for risk of being sexually abused by other inmates or sexually abusive toward other inmates. (§115.41)*
- b. *The information received through the administration of the PREA Questionnaire shall be used to inform housing, bed placement, work, education, and program assignments with the goal of keeping separate those inmates at high risk for being sexually victimized from those at high risk of being sexually abusive. (§115.42) The sensitive information collected through these tools shall be kept as confidential as possible so as not to be used to the inmate's detriment by staff or other inmates. (§115.41)*
- c. *The PREA Risk Assessments shall be conducted utilizing the PREA Questionnaire. The tool will be an objective instrument that shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization or abusiveness: (§115.41)*
 - a. *whether the inmate has a mental, physical, or developmental disability; (§115.41)*
 - b. *the age of the inmate; (§115.41)*
 - c. *the physical build of the inmate; (§115.41)*
 - d. *whether the inmate has previously been incarcerated; (§115.41)*
 - e. *whether the inmate's criminal history is exclusively nonviolent; (§115.41)*
 - f. *whether the inmate has prior convictions for sex offenses against a child or an adult; (§115.41)*
 - g. *whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (§115.41)*
 - h. *whether the inmate has previously experienced sexual victimization; (§115.41)*
 - i. *the inmate's own perception of vulnerability; (§115.41)*
 - j. *whether the inmate is detained solely for civil immigration purposes; (§115.41)*
 - k. *the initial assessment (within 72 hours of reception) shall consider prior acts of abuse, prior convictions for violent offenses, and history of prior facility violence or sexual abuse, as known to*

the Prison, in order to assess inmates for the risk of being sexually abusive. (§115.41)

An inmate's risk level will be reassessed by the PREA Coordinator when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of victimization or abusiveness utilizing the PREA Questionnaire. (§115.41)

- 1. Inmates shall not be disciplined for refusing to answer, or for not disclosing complete information in response to the questions regarding prior victimization, disabilities, their perception of vulnerability, or their sexual orientation. (§115.41)*

I reviewed the screening tool utilized for the screening of the inmates. This screening tool covers all questions enumerated in the standard. The screening is conducted within 72 hours of arrival of the inmate.

The 30 day screening is being conducted by the PREA Coordinator. Both screening tools are only accessible to those staff who make housing and programming decisions. This was verified during the staff interviews.

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

During the staff interviews they informed me the PREA Coordinator is available to answer questions at any time, including off hours. She is contacted for any inmate who screens high for victimization or abusiveness.

Standard 115.42 Use of screening information

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Use of screening information. The policy Reads as follows:

- 3. Upon completion of the PREA Questionnaire, if an inmate answers "yes" and is in the "high risk" category, this information shall be immediately given to the PREA Coordinator for further review and placement of the inmate.*
- 4. The Prison shall make individualized determinations about how to ensure the safety of each inmate. (§115.42)*

Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Populations

The Prison shall not place LGBTI inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. (§115.42) This does

not preclude establishment of a dedicated unit wherein individuals can volunteer to live in that dedicated unit.

I verified with the PREA Coordinator that the screening tool is being utilized for housing, work, education and programming decisions. She further confirmed that the determinations are made on an individual basis.

I further confirmed during staff interviews that that when deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, they consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems.

I also confirmed during interviews that placement and programming assignments for each transgender or intersex inmate would be reassessed at least twice each year to review any threats to safety experienced by the inmate. They would give serious consideration to the inmates own views with respect to his or her own safety.

The facility would allow transgender and intersex inmates the opportunity to shower separately from other inmates.

The facility does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated housing units. This was confirmed during the inmate interviews and review of the housing unit assignments.

Standard 115.43 Protective custody

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Protective custody. The policy Reads as follows:

Protective Custody

Inmates at a high risk for sexual victimization or inmates that have alleged abuse shall not be placed involuntarily in Protective Custody (PC) as a means of protection unless an assessment of all available alternatives has been made, and a determination has been made that there is no other available alternative means of separation from likely abusers. If the facility cannot conduct the assessment immediately, the facility may hold the inmate in involuntary PC for less than 24 hours while completing the assessment. (§115.43) (§115.68)

- (1) The staff must consider other alternative placements for an alleged victim and make the appropriate placement. (§115.43)*
- (2) Placement in PC is permissible when the victim requests or agrees to it.*
- (3) If an involuntary PC housing assignment is made the OIC on duty shall document the following:*
 - (1) the basis for the staff member's concern for the inmate's safety; (§115.43)*
 - (2) the other alternative means of separation that were explored; and*

- (3) *the reason why no alternative means of separation can be arranged. (§115.43)*
- (4) *If the Shift Commander assigns an inmate to involuntary PC for the purpose of protection from sexual victimization, access to programs, privileges, education, or work opportunities shall be afforded to that inmate to the extent possible. If the facility restricts access to these opportunities, the reasons shall be documented and a copy to be maintained in the Security Office. (115.43)*
 - a. *the opportunities that have been limited; (§115.43)*
 - b. *the duration of the limitation; and (§115.43)*
 - c. *the reasons for such limitations. (§115.43)*
- (5) *The prison may assign inmates to involuntary PC only until an alternative means of separation from likely abusers can be arranged and such assignment shall not ordinarily exceed 30 days. (§115.43)*

In accordance with Prison policy #001-2014, "Protective Custody," at least every 30 days, the inmate is reviewed to determine whether there is a continuing need for separation from the general population.

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

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

Standard 115.51 Inmate reporting

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Inmate reporting. The policy Reads as follows:

Reporting Sexual Abuse and Sexual Harassment

General

- a. *A report, complaint, or allegation of sexual abuse, sexual harassment, or retaliation as defined in the glossary of terms for this procedures manual, staff neglect or violation of responsibilities that may have contributed to such incidents can be reported by several means, as outlined below. (§115.51)*
- b. *Anyone who reports sexual abuse, sexual harassment, or retaliation should provide as many details as possible regarding the incident(s), including the following information:*
 - 1. *comprehensive description of incident(s);*
 - 2. *names of all parties involved;*

3. *date(s);*
 4. *time(s);*
 5. *place(s) of alleged incidents; and*
 6. *witness (es), if any.*
- c. *Staff shall accept and document reports made verbally, in writing, anonymously, and from third parties and promptly forward to the facility's designated investigators. (§115.51) (§115.61)*
- d. *If the alleged victim is under the age of 18, the Department shall refer the allegation to the designated State or local services agency under applicable mandatory reporting laws.(§115.61)*

Methods of Reporting for Inmates

- a. *Any inmate who is the victim of any of the following should report the abuse to a staff member as soon as possible:*
1. *sexual abuse;*
 2. *sexual harassment;*
 3. *retaliation by other inmates or staff for reporting sexual abuse and sexual harassment; and/or*
 4. *staff neglect or violation of responsibilities that may have contributed to such incidents. (§115.51)*
- b. *A report may be made to any staff member in the facility including, but not limited to, Administrative staff, Medical staff, Corrections Officers, and Counselors. (§115.51)*
- c. *As soon as a staff member, contractor, volunteer, or intern receives a report of sexual abuse, either verbally or in writing, they are required to notify the on duty OIC immediately. (§115.51)*
- d. *Methods of reporting include the following: (§115.51)*
- a. *verbal report to a staff member;*
 - b. *submitting an Inmate Request to a Staff Member; and/or*
 - c. *submitting a request via the kiosk on each unit.*
 - d. *e-mailing the PREA Coordinator @ www.mzilecki@columbiapa.org*
 - e. *or writing to PREA Coordinator/721 Iron St. Bloomsburg Pa 17815*
- e. *Every inmate must be provided with immediate access to at least one of the methods indicated above through which he/she may file a report of sexual abuse, sexual harassment, or retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. (§115.51)*
- f. *Inmate being held solely for immigration purposes shall report any incidences of sexual abuse to The Department of Homeland Security, www.dhs.gov or mail a letter to 245 Murray Lane SW, Washington D.C. 20528.*

The facility has posters throughout the facility providing a tip line, these posters are printed in Spanish also.

This hotline is for the Pennsylvania Department of Corrections reporting center in Camp Hill.

During the interviews with both staff and inmates they all related that they understood the avenues of reporting. All of the inmates related that they would feel comfortable reporting to a staff member at the facility.

I checked the telephone and found the hotline number to be functioning properly.

Standard 115.52 Exhaustion of administrative remedies

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

EVIDENCE OF COMPLIANCE:

The facility does not accept grievances pertaining to sexual abuse or harassment. If an inmate utilizes the grievance procedure the information is immediately provided to the PREA Investigators for immediate investigation.

Standard 115.53 Inmate access to outside confidential support services

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses inmate access to outside confidential support services. The policy Reads as follows:

Inmate Access to Outside Supportive Services

- a. The PREA Coordinator has worked to establish an agreement with local rape crisis center, The Women's Center. A copy of this agreement is maintained in the Security Office by the PREA Coordinator. (§115.53)*
- b. The PREA Coordinator shall ensure that inmates are offered and provided with access to outside victim advocates for emotional supportive services related to sexual abuse which has occurred in a confinement setting. During non-working hours, the Shift Commander will be responsible to ensure the aforementioned support services. Supportive services may be provided via a variety of methods including in person, during a non-monitored phone call, and/or in writing. The preferred service delivery method is in person in a confidential setting. (§115.53)*
- c. The PREA Coordinator shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. (§115.53)*
- d. An inmate will be offered the opportunity to talk with a victim advocate upon receipt of an allegation and receive continued care when they have been a victim of sexual abuse, no matter if they reported the sexual abuse immediately or made a delayed disclosure.*

1. *If the inmate is taken to a local hospital for a forensic examination, they should be afforded the opportunity, upon request, for support services provided by a victim advocate. If requested, the victim advocate will meet the victim at that hospital to accompany and support the victim through the forensic medical examination process and investigatory interview. They shall also provide emotional support, crisis intervention, information, and referrals. (§115.21)*
2. *If the inmate discloses outside the 96 hour timeframe, the facility PREA Coordinator shall make arrangements for the victim advocate to meet with the inmate at the facility or via telephone, if the victim wishes to speak with an advocate. This meeting should occur in a private area with video surveillance and no audio to ensure confidentiality. The safety of the victim advocate should be paramount in determining where the meeting will occur. (§115.21)*

The facility has also entered into an MOU with The Women's Center for victim advocacy. If requested by the victim, the victim advocate, will accompany and support the victim through the forensic medical examination process and investigatory interviews, providing emotional support, crisis intervention, information, and referrals. The MOU is dated June 17, 2014.

During the review of the investigations I found that these services were offered to all inmates.

Standard 115.54 Third-party reporting

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

EVIDENCE OF COMPLIANCE:

The following is posted on the Columbia County Prison Website:

Columbia County Prison maintains a zero tolerance policy regarding institutional sexual harassment, assault or abuse. Policy and procedures to address issues of this nature have been developed and implemented in accordance with the Federal Prison Rape Elimination Act (PREA) Standards.

Employees and inmates' families may report incidents via email to mzielecki@columbiapa.org or mail to:

*PREA Coordinator
721 Iron St.
Bloomsburg, Pa 17815*

Standard 115.61 Staff and agency reporting duties

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Staff and agency reporting duties. The policy Reads as follows:

Investigating Allegations of Sexual Harassment and/or Sexual Abuse

Every report, complaint or allegation of sexual harassment/sexual abuse, including third party and anonymous reports, shall be investigated promptly, thoroughly, and objectively. (§115.71) (§115.61)

All staff interviewed understood the above policy requiring them to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment. They also understood their obligation not to reveal 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.

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

Standard 115.62 Agency protection duties

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Agency protection duties. The policy Reads as follows:

Ensure that when the prison staff learn that an inmate is subject to a substantial risk of imminent sexual abuse, appropriate and immediate action will be taken to protect that inmate. (§115.62)

If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim, in accordance with Prison Rape Elimination Act (PREA) Standard §115.62 and shall immediately notify the appropriate medical and mental health practitioners. (§115.82)

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

would act immediately.

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

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

Standard 115.63 Reporting to other confinement facilities

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses reporting to other confinement facilities. The policy Reads as follows:

Inter-Facility Reports

Reporting to Other Confinement Facilities

- (1) An inmate may file a report of sexual abuse sustained while confined at another facility. (§115.63)*
- (2) It is the Warden/designee's responsibility to notify the head of the facility in which the reported abuse, harassment, or retaliation occurred. (§115.63) Notification must be provided as soon as possible, but no later than 72 hours after receipt of information and documented on the Notification of Sexual Abuse/Harassment Allegation to Another Facility. This document shall be maintained by the PREA Coordinator in an annual file for audit verification purposes. (§115.63)*
- (3) A copy of the notification must also be sent to the facility PCM and the statewide PREA Coordinator/designee for tracking purposes.
 - a. all information is shared to ensure a thorough and expedient investigation is completed; and*
 - b. the inmate receives information regarding the investigation in a confidential and timely manner.**

Reports Received from Other Confinement Facilities

- 1. Upon receipt of an allegation from another facility that an inmate was sexually abused while confined at that location, the Warden/designee at the receiving facility shall document the receipt of the allegation on the Notification of Sexual Abuse/Harassment Allegation to Another Facility. (§115.63)*
- 2. The Facility Manager/designee shall immediately notify the Security Office to initiate a PREA investigation. (§115.63)*

3. *The Warden/designee shall send notification and supporting documentation to the facility PCM and the statewide PREA Coordinator/designee within five working days of the receipt of the allegation.*

During my interview with the PREA Coordinator she related that the above procedure would be followed.

Standard 115.64 Staff first responder duties

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses first responder duties. The policy Reads as follows:

First Responder Duties

Upon learning of an allegation that an inmate was sexually abused, the first staff member to respond shall follow the procedures as outlined below.

- a. *Security staff shall:*
 1. *immediately separate the alleged victim and alleged abuser; (§115.64)*
 2. *Notify the Shift Commander*
 3. *secure the reported crime scene until appropriate steps can be taken to collect evidence; and (§115.64)*
 4. *if the abuse occurred within the last 96 hours that still allows for the collection of physical evidence, the alleged victim and the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. (§115.64)*

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

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

The PREA Coordinator has placed Sexual Assault and Sexual Harassment quick reference guides in the housing unit control rooms. The staff utilize these quick reference guides during any initial response to ensure all responses are consistent and nothing is being overlooked.

During the staff interviews they confirmed that they would refer back to these guides during their initial response to an incident.

Standard 115.65 Coordinated response

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 outlines the overall response plan to an incident. This policy includes the responsibilities of all parties involved including security, medical, and investigators. The shift supervisor will coordinate the immediate efforts of all involved parties, and ensure that the response is appropriate to the allegation.

During the staff interviews I confirmed that the shift supervisor would coordinate the initial response to the incident. Part of this response is to contact the PREA Coordinator, who would respond to the facility. The policies outline the involvement of security staff, medical staff and all outside agencies.

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

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison has entered into an agreement with the National Correctional Employees Union, who represent the Correctional Officers. I reviewed the contract and verified that the agreement would not limit the ability of the Columbia County Prison to remove alleged staff sexual abusers from contact with inmates.

It should be noted that the above contract was in effect until December 31, 2016. At this time the contract is in negotiation. I verified with the union representatives that the contract is being followed, until a new contract is agreed upon. They further confirmed that any staff under investigation of sexual abuse would be removed from contact with inmates.

Standard 115.67 Agency protection against retaliation

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Protection Against Retaliation. The policy Reads as follows:

Protection Against Retaliation

The Prison will protect all inmates and staff from retaliation by other inmates or staff. (§115.67)

- a. Retaliatory action is prohibited against an inmate, staff member, or other individual who reports sexual abuse, sexual harassment, or provides information during an investigation. Any individual, who seeks to deter an inmate or other individual from reporting sexual activity, or who in any manner, harasses or intimidates any person who reports the alleged contact, is subject to discipline. (§115.67)*
- b. The Prison shall employ multiple protection measures, such as housing changes for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victim. The Prison shall also make available emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment, or for cooperating with investigations. (§115.67)*
- c. For at least 90 days following a report of sexual abuse, the Prison shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse, and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff and shall act promptly to remedy such retaliation. Items the Prison shall monitor include:
 - a. housing reports;*
 - b. program changes;*
 - c. negative performance reviews; and*
 - d. reassignment of staff.**

NOTE: The Prison shall continue monitoring beyond 90 days if the initial monitoring indicates a continuing need. (§115.67)

- d. Additionally, if any other individual who cooperates with an investigation expresses fear of retaliation, the Prison shall take appropriate measures to protect that individual against retaliation. (§115.67)*
- e. The Prison's obligation to monitor shall terminate if the investigation is determined to be unfounded. (§115.67)*
- f. Retaliation monitoring will be documented and maintained by the Security Office.*

responsibilities under this policy.

I reviewed the investigations and found that the monitoring for retaliation is being conducted and documented in the security office of the facility.

Standard 115.68 Post-allegation protective custody

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses post allegation protective custody. The policy Reads as follows:

Protective Custody

Inmates at a high risk for sexual victimization or inmates that have alleged abuse shall not be placed involuntarily in Protective Custody (PC) as a means of protection unless an assessment of all available alternatives has been made, and a determination has been made that there is no other available alternative means of separation from likely abusers. If the facility cannot conduct the assessment immediately, the facility may hold the inmate in involuntary PC for less than 24 hours while completing the assessment. (§115.43) (§115.68)

During the interview with the PREA Coordinator I found that she understands the restrictions of utilizing protective custody post-allegation. She related that the facility has the ability to move inmates to a separate housing unit without having to utilize segregation.

I reviewed the investigations and found that the facility did not utilize any post allegation protective custody in any of the incidents reported.

Standard 115.71 Criminal and administrative agency investigations

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses criminal and administrative agency investigations. The policy Reads as follows:

Investigating Allegations of Sexual Harassment and/or Sexual Abuse

Every report, complaint or allegation of sexual harassment/sexual abuse, including third party and anonymous reports, shall be investigated promptly, thoroughly, and objectively. (§115.71) (§115.61)

1. General Responsibilities

It is Columbia County Prison policy to conduct internal administrative investigations promptly, thoroughly and objectively for ALL investigations.

- (a) If the case is being investigated for criminal charges, Columbia County Security investigators shall suspend the administrative investigation and allow the criminal investigation to take precedence. The PREA Coordinator/designee shall coordinate with the criminal investigator/District Attorney's Office (as applicable) to determine when to resume the administrative investigation so as to avoid interference with the criminal investigation.*
- (1) When sexual abuse is alleged the Columbia County Prison will only use investigators who have received specialized sexual abuse training.*
 - (2) Investigators will utilize all available measures to conduct thorough and accurate investigations. The Investigator will gather and preserve direct and circumstantial evidence which include Physical, DNA and electronic monitoring data. The investigator shall conduct interviews with alleged victims, suspected perpetrators, and witnesses. An extensive review of any prior abuse from the perpetrator will be conducted.*
 - (3) If the quality of evidence supports criminal charges, the prison will immediately inform Bloomsburg Police Department or Pennsylvania State Police for review. The Prison will not conduct any further interviews unless directed by the above stated authorities.*
 - (4) An alleged victim, suspect or witness shall be assessed on an individual basis, status, whether a staff member or inmate will not determine credibility. At no time will an inmate be subject to a polygraph exam or any other truth telling device.*
 - (5) All investigations will determine whether staff actions or failure to act may have contributed to the abuse. ALL investigations will be documented in written reports to include a description of physical and testimonial evidence, the reasoning behind credibility assessments, and the investigators facts and findings.*
 - (6) Any substantiated allegations of conduct that support criminal charges will immediately be referred to the Bloomsburg Police Department or Pennsylvania State Police.*
 - (7) The Columbia County Prison will retain all written reports of sexual harassment and abuse allegations for as long as the alleged abuser is incarcerated or employed by the Prison, plus five years from the stated period of time.*
 - (8) An investigation will not be terminated due to the departure of the alleged victim or abuser whether inmate or staff member.*
 - (9) The Columbia County Prison will offer full cooperation to any outside agency who conducts sexual abuse investigations and will strive to remain informed of the status of the investigation.*
 - (10) The Columbia County Prison will impose no standard higher than a "preponderance" of evidence in determining whether allegations of sexual abuse/harassment are substantiated.*

The Columbia County Prison conducts administrative investigations, and the Bloomsburg Police Department investigate any criminal act within the facility.

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

contact the Bloomsburg Police Department.

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

Standard 115.72 Evidentiary standard for administrative investigations

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses evidentiary standard for administrative investigations. The policy Reads as follows:

The Columbia County Prison will impose no standard higher than a “preponderance” of evidence in determining whether allegations of sexual abuse/harassment are substantiated.

The facility has not imposed a higher standard than preponderance of the evidence to any investigation. This was confirmed during staff interviews and review of the investigations.

Standard 115.73 Reporting to inmates

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses reporting to inmates. The policy Reads as follows:

Reporting to Inmates:

Upon conclusion of any investigation where sexual abuse was alleged, the inmate will be informed of the following:

- a. *If the allegation was determined to be substantiated, unsubstantiated or unfounded*
- b. *If the prison did not conduct the investigation, it will request the relevant information from the investigative agency*

If an inmate alleges that a staff member has committed sexual abuse against them, the prison will inform the inmate (unless the allegation has been determined to be unfounded) whenever:

- (1) *The staff member is no longer posted within the inmates unit;*
- (2) *The staff member is no longer employed at the facility;*
- (3) *The prison learns that a staff member has been indicted on a charge related to sexual abuse within the facility*
- (4) *The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility*

If an inmate alleges that he or she has been sexually abused by another inmate, the Prison will inform the inmate whenever:

- A. *The prison learns that the alleged abuser has been indicted on a charge related to sexual abuse within the prison; or*
(2) The prison learns that the alleged abuser has been convicted on a charge related to sexual abuse within the prison.

Note: All notifications or attempted notifications will be documented on the Columbia County Prison’s PREA Investigation Inmate Notification Form. The Columbia County Prison will impose no standard higher than a “preponderance” of evidence in determining whether allegations of sexual abuse/harassment are substantiated.

The PREA Coordinator understands her obligation on reporting to inmates after an investigation has been conducted.

I reviewed the Columbia County Prison’s PREA Investigation Inmate Notification Form for the investigations and found them to be complete.

Standard 115.76 Disciplinary sanctions for staff

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses disciplinary sanctions for staff. The policy Reads as follows:

Staff Discipline

- 1. *Any employee who violates Columbia County Prison sexual abuse or sexual harassment policies by engaging in, failing to report, or knowingly condoning sexual abuse or sexual harassment of an inmate shall be subject to appropriate disciplinary or administrative action up to and including termination (§115.76).*
- 2. *When an allegation is made involving a staff member, contract service provider, or volunteer, this person will be removed from contact with the alleged victim until the conclusion of this investigation.*
- 3. *In the event that a staff member is terminated, or resigns in lieu of discharge, for violation of this procedure manual, Columbia County Prison will contact Bloomsburg PD or PSP to determine if a potential criminal violation*

exists. If the violation meets criminal standards, the matter will be referred to the District Attorney's Office for prosecution purposes. (§115.76)

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

I reviewed the investigations and found that staff have been disciplined for a violation of this policy.

Standard 115.77 Corrective action for contractors and volunteers

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses corrective action for contractors and volunteers. The policy Reads as follows:

Corrective Action for Contractors and Volunteers

Contractors and volunteers are subject to the following:

- 1. when an allegation is made involving a contractor or volunteer, this person will be removed from contact with the alleged victim until the conclusion of this investigation;*
- 2. if a contractor or volunteer violates this procedures manual, other than by engaging in sexual abuse, the facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates (§115.77); and*
- 3. any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates, and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. (§115.77)*

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

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

Standard 115.78 Disciplinary sanctions for inmates

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses disciplinary sanctions for inmates. The policy Reads as follows:

Inmate Discipline

- A. Inmates shall be subject to disciplinary sanctions pursuant to the formal disciplinary process, following an administrative finding that the inmate engaged in inmate on inmate sexual abuse or following a criminal finding of guilt for inmate on inmate sexual abuse. (§115.78)*
- B. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. (§115.78)*
- C. The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his/her behavior when determining what type of sanction, if any, should be imposed. (§115.78)*
- D. The facility may discipline an inmate for sexual contact with staff only if it is substantiated that the staff member did not consent to such contact. (§115.78)*
- E. 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. (§115.78)*
- F. A reporting inmate may only be subjected to discipline if the report is determined to be unfounded with proven malicious intent at the conclusion of a full investigation. (§115.78)*
- G. Columbia County Prison prohibits all sexual activity between inmates and may discipline inmates for such activity. The Prison will not deem such activity to constitute sexual abuse if the Prison through the investigative process, determines that the activity is not coerced or forced. (§115.78)*

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

I reviewed the investigations and found that any inmate who has been disciplined was disciplined for violation of the policy, this discipline was consistent with the policy violation.

No inmate have been disciplined for making a report in good faith.

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

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses medical and mental health screenings; history of sexual abuse. The policy Reads as follows:

Medical and Mental Health Screenings

- 1. Medical Staff shall ask inmates, during the initial Medical Health screening, about any history of victimization or perpetration of sexual abuse, either in a correctional setting or in the community. (§115.41)*
- 2. If the screening pursuant to PREA Standard §115.41 indicates that a prison or jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening or sooner, if clinically indicated. (§115.81)*
- 3. If the screening pursuant to PREA Standard (§115.41) indicates that a prison or jail inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening, or sooner, if clinically indicated. (§115.81) In addition, when information becomes available relating to perpetration of inmate-on-inmate sexual abuse history, a mental health evaluation will be conducted on these abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners. (§115.83)*
- 4. Any information related to sexual victimization or abusiveness occurring in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans, security and management decisions, including housing, bed placement, work, education, and program assignments, or otherwise required by Federal, State, or local law. (§115.81)*
- 5. Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18. (§115.81).*

Any inmate who discloses a prior sexual victimization during the screening process for Risk of Victimization and Abusiveness will be offered a follow-up meeting with a medical or mental health practitioner.

When the aforementioned screening indicates an inmate has experienced prior sexual victimization, or has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff ensures that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

All information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly

limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions. These decisions include housing, bed, work, education, and program assignments.

During the staff and inmate interviews I confirmed that these procedures are in place. The staff further understood their obligation to obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.

During the medical staff interviews they verified that a mental health worker comes into the facility twice a week to meet with the inmates. If an inmate screened as vulnerable or abusive they would be seen during the next scheduled mental health day.

Standard 115.82 Access to emergency medical and mental health services

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses access to emergency medical and mental health services. The policy Reads as follows:

Emergency Medical and Mental Health Treatment Services

- a. Inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical, mental health treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. (§115.82)*
- b. If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim, in accordance with Prison Rape Elimination Act (PREA) Standard §115.62 and shall immediately notify the appropriate medical and mental health practitioners. (§115.82)*
- c. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Inmate victims of sexual abuse while incarcerated shall be offered test for sexually transmitted infections as medically appropriate. (§115.83)(§115.21)(§115.82).*
- d. Columbia County Prison shall provide alleged victims with medical and mental health services consistent with the community level of care. (§115.83)*

The facility has the policies in place for emergency medical and mental health services. These services are offered to any inmate who reports sexual abuse or sexual harassment. I confirmed that these services are offered with both the PREA Coordinator and medical staff.

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

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses ongoing medical and mental health care for sexual abuse victims and abusers. The policy Reads as follows:

If the screening pursuant to PREA Standard (§115.41) indicates that a prison or jail inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening, or sooner, if clinically indicated. (§115.81) In addition, when information becomes available relating to perpetration of inmate-on-inmate sexual abuse history, a mental health evaluation will be conducted on these abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners. (§115.83)

Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Inmate victims of sexual abuse while incarcerated shall be offered test for sexually transmitted infections as medically appropriate. (§115.83)(§115.21)(§115.82).

Columbia County Prison shall provide alleged victims with medical and mental health services consistent with the community level of care. (§115.83)

Continuity of Care

Ongoing medical and mental health treatment shall be available for inmates who have been victimized by sexual abuse. This includes appropriate follow-up services and, when necessary, referrals for continued care following their transfer to another prison facility and/or their release from Columbia County Prison.

- A. *The facility shall offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. (§115.83)*
- B. *Upon learning that an inmate has either perpetrated or been a victim of institutional sexual abuse, Mental Health shall monitor the inmate on a monthly basis for a minimum of 90 days to ensure the provision of treatment and support services, as necessary. This contact shall be documented. Any documentation of this contact should be non-specific and should not refer to PREA due to confidentiality concerns. If the Mental Health staff determines that the initial monitoring indicates a continuing need, the periodic status checks will be extended beyond 90 days.*
- C. *The evaluation and treatment of such victims shall 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. (§115.83)

- D. *Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. (§115.83)*
- E. *If pregnancy results from the sexual abuse, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related services. (§115.83)*
- F. *Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections, as medically appropriate. (§115.83)*

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

I reviewed the investigations conducted, these services were offered to all involved in an allegation.

Standard 115.86 Sexual abuse incident reviews

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses sexual abuse incident reviews. The policy Reads as follows:

Section 7 – Sexual Abuse Incident Review

- 1. Columbia County Prison conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded.*
- 2. Sexual abuse incident reviews will be conducted within 30 days of learning the investigation has concluded.*
- 3. The sexual abuse incident review team will include the Warden, Deputy Warden, Security Captain, Administrative Officer (Lt.) and PREA Coordinator and allows for input from line supervisors, investigators and medical/mental health staff.*
- 4. CCP will prepare a report of its findings from sexual abuse incident reviews, along with recommendations for improvement, and will be maintained by the PREA Coordinator.*
- 5. CCP will implement the recommendations or will document the reason for not doing so.*

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

The facility is reviewing all investigations that meet the criteria and documenting the review in the investigative report.

Standard 115.87 Data collection

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Data Collection, Review, Storage and Destruction. The policy Reads as follows:

Section 8 - Data Collection, Review, Storage and Destruction

- a) The Columbia County PREA Coordinator collects accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions.*
 - b) The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice*
 - c) Columbia County Prison aggregates the incident-based data annually*
 - d) Columbia County Prison maintains reviews and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.*
 - e) Upon request, CCP shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.*
 - f) CCP reviews data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies and training including:*
 - Identifying problem areas*
 - Taking corrective action on an ongoing basis*
 - Preparing an annual report of its findings from its data review and any corrective actions.*
- 6. The annual report will include a comparison of the current year's data and corrective actions with those from prior years.*
 - 7. The annual report will provide an assessment of the agency's progress in addressing sexual abuse.*
 - 8. CCP will make its annual report readily available to the public at least annually through its*

website.

9. *The annual reports must be approved by the Warden.*
10. *When CCP redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the facility.*
11. *CCP will indicate the nature of the redaction.*
12. *CCP ensures that the incident-based and aggregate data are securely retained by the PREA Coordinator.*
13. *Aggregated sexual abuse data from CCP shall be made readily available to the public at least annually through its website.*
14. *Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed.*
15. *CCP maintains sexual abuse data collected pursuant to §115.87 for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise.*

The data is collected from all of the PREA related investigations at the facility level, as well as by the Pennsylvania Department of Corrections. The facility has placed all data in a report that is published on their website, this data is from 2014 through 2016.

Standard 115.88 Data review for corrective action

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Data Collection, Review, Storage and Destruction. The policy Reads as follows:

Section 8 - Data Collection, Review, Storage and Destruction

- a) *The Columbia County PREA Coordinator collects accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions.*
- b) *The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice*
- c) *Columbia County Prison aggregates the incident-based data annually*

- d) *Columbia County Prison maintains reviews and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.*
- e) *Upon request, CCP shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.*
- f) *CCP reviews data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies and training including:*
- *Identifying problem areas*
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The data being collected is reviewed by the administration at the facility. I was informed during staff interviews that if a trend was noticed, they would put into place an immediate corrective action plan.

While reviewing the investigations I did not identify any trends or issues that would call for immediate action.

The agency has redacted all identifiers from the report, no other information has been redacted.

Standard 115.89 Data storage, publication, and destruction

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

EVIDENCE OF COMPLIANCE:

The Columbia County Prison, Prison Rape Elimination Act (PREA) policy #092-2013 addresses Data Collection, Review, Storage and Destruction. The policy Reads as follows:

Section 8 - Data Collection, Review, Storage and Destruction

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

During her interview she understood her obligations under this policy.

The report is published on the facilities website, all personal identifiers have been redacted.

I verified that all data will be kept for a minimum of ten years.

AUDITOR CERTIFICATION

I certify that:

- The contents of this report are accurate to the best of my knowledge.
- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

5/6/17_____

Auditor Signature

Date