

# Prison Rape Elimination Act (PREA) Audit Report Adult Prisons & Jails

Interim       Final

Date of Report    October 9, 2018

## Auditor Information

Name: Kurt Pfisterer	Email: kurtpfisterer@gmail.com
Company Name: Kurt Pfisterer, LLC	
Mailing Address: 6583 Parkwood Dr.	City, State, Zip: Lockport, NY 14094
Telephone: (518) 860-5764	Date of Facility Visit: September 24, 2018

## Agency Information

Name of Agency: Beaver County Jail	Governing Authority or Parent Agency (If Applicable): Beaver County Board of Prison Inspectors		
Physical Address: 6000 Woodlawn Blvd.	City, State, Zip: Aliquippa, PA 15001		
Mailing Address: Same	City, State, Zip: Same		
Telephone: (724) 378-8177	Is Agency accredited by any organization? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
The Agency Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for Profit	<input type="checkbox"/> Private not for Profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
Agency mission: BeaverCountypa.gov			
Agency Website with PREA Information: BeaverCountypa.gov			

## Agency Chief Executive Officer

Name: William J. Schoupe	Title: Warden
Email: wschoupe@beavercountypa.gov	Telephone: (724) 378-8177

## Agency-Wide PREA Coordinator

Name: Sean McGee	Title: Lieutenant
Email: pcipolla@beavercountypa.gov pcipolla@beavercountypa.gov	Telephone: (724) 378-8177

PREA Coordinator Reports to: Warden	Number of Compliance Managers who report to the PREA Coordinator N/A
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**Facility Information**

Name of Facility:	Beaver County Jail		
Physical Address:	6000 Woodlawn Blvd. Aliquippa, PA 15001		
Mailing Address (if different than above):	Same		
Telephone Number:	724-378-8177		
The Facility Is:	<input type="checkbox"/> Military	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Private not for profit
<input type="checkbox"/> Municipal	<input checked="" type="checkbox"/> County	<input type="checkbox"/> State	<input type="checkbox"/> Federal
Facility Type:	<input checked="" type="checkbox"/> Jail	<input type="checkbox"/> Prison	
Facility Mission:	Same as agency		
Facility Website with PREA Information:	Same as agency		

**Warden/Superintendent**

Name:	William J. Schoupe	Title:	Warden
Email:	wschoupe@beavercountypa.gov	Telephone:	724-378-8177

**Facility PREA Compliance Manager**

Name:	Pete Cipolla	Title:	Lieutenant
Email:	pcipolla@beavercountypa.gov	Telephone:	724-378-8177

**Facility Health Service Administrator**

Name:	Beth Harris	Title:	Medical Administrator
Email:	bharris@beavercountypa.gov	Telephone:	724-378-8177

**Facility Characteristics**

Designated Facility Capacity:	402	Current Population of Facility:	313
Number of inmates admitted to facility during the past 12 months			2671
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more:			722
Number of inmates admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more:			1688

Number of inmates on date of audit who were admitted to facility prior to August 20, 2012:		0	
Age Range of Population:	Youthful Inmates Under 18: N/A	Adults: 18 – 70+	
Are youthful inmates housed separately from the adult population?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> NA
Number of youthful inmates housed at this facility during the past 12 months:		2	
Average length of stay or time under supervision:		365 Days	
Facility security level/inmate custody levels:		Work release - Maximum	
Number of staff currently employed by the facility who may have contact with inmates:		105	
Number of staff hired by the facility during the past 12 months who may have contact with inmates:		23	
Number of contracts in the past 12 months for services with contractors who may have contact with inmates:		2	
<b>Physical Plant</b>			
Number of Buildings: 1		Number of Single Cell Housing Units: 1	
Number of Multiple Occupancy Cell Housing Units:		4	
Number of Open Bay/Dorm Housing Units:		3	
Number of Segregation Cells (Administrative and Disciplinary):		16	
Description of any video or electronic monitoring technology (including any relevant information about where cameras are placed, where the control room is, retention of video, etc.):			
<p>The facility video surveillance system provides coverage for 95% of the facility. There is no audio capability. The system provides coverage of the recreation areas, food service, all housing units, hallways and education areas. There are no cameras in the inmates' cells. Cameras on the housing units do not have a view of the rear of the cells (where the toilets are located). Cameras in the dormitory housing units do not have a view of inmates while in their beds. Cameras can only view the inmate's head while in the shower. Cross gender viewing is not an issue. There is a camera view of all doors in areas where inmates are permitted. The camera system has a 30 day retention time for recorded images. The system was last upgraded in 2018.</p>			
<b>Medical</b>			
Type of Medical Facility:		Medical housing unit, clinic and triage	
Forensic sexual assault medical exams are conducted at:		Heritage Valley Medical Center	
<b>Other</b>			
Number of volunteers and individual contractors, who may have contact with inmates, currently authorized to enter the facility:		351	
Number of investigators the agency currently employs to investigate allegations of sexual abuse:		3	

## Audit Findings

## Audit Narrative

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

This report is for the Beaver County Jail (BCJ) operated under the authority of the Beaver County Board of Prison Inspectors.

The Beaver County Jail is a secure 402 bed facility for male and female inmates (both pre-trial detainees and sentenced offenders). The on-site portion of the PREA Audit began September 24, 2018 and covered the audit period of September 24, 2017 to September 23, 2018. Prior to the on-site audit the facility provided a list of all staff by shift and employee job categories and a list of all inmates by housing unit. Prior to arrival this auditor reviewed pertinent agency policies, procedures, and related documentation used to demonstrate compliance with the Prisons and Jails PREA Standards. The pre-audit review of documents contained in the Pre-Audit Questionnaire submitted by the facility prompted few questions. Answers to those questions were submitted to this auditor by the facility staff and any additional remaining questions were resolved during the audit.

Auditor arrived at the facility the morning of September 24, 2018. An entrance meeting was held with Warden, Deputy Warden, Lieutenant (who serves as the facility PREA Coordinator/Compliance Manager), and this auditor. This auditor explained how inmate interviews needed to be supervised (staff able to see both the interviewed and the inmate, but out of hearing range and the inmates line of sight). The scope of the tour and how the tour needed to be conducted was explained. At the conclusion of the entrance meeting this auditor toured the facility.

A complete tour of the facility took approximately two hours. During the tour, additional questions were answered by executive and upper-level management staff. This auditor was given free access to all areas of the facility. The tour covered all housing units, recreation areas, food service, restrictive housing unit, special needs unit, segregation, medical, mental health and inmate services. Staff and inmate interviews followed and were conducted privately in a room without video surveillance. There are no Sexual Assault Nurse Examiner (SANE) or Sexual Assault Forensic Examiner (SAFE) staff employed at the facility. These services are available at the Heritage Valley Medical Center - Beaver. A Memorandum of Understanding (MOU) is in place with the Women's Center of Beaver County. This auditor interviewed members of the incident review team and the staff member charged with monitoring for retaliation (PREA Coordinator).

Administrative investigations are conducted by supervisors who have had prior investigations training and have completed specialized training for conducting investigations of sexual abuse in confinement settings. The curriculum used for this training is the curriculum posted on the PREA Resource Center's website. Criminal investigations are conducted exclusively by the Beaver County District Attorney's Office detectives (lead detective was interviewed). There were no volunteers at the facility during the audit. A telephone interview was conducted with one of the religious volunteers. Contract medical, mental health staff and Chaplain were interviewed. The agency Executive Director (the Warden) was interviewed by this auditor. Emails were sent to

Just Detention International and the Pennsylvania Coalition Against Rape in an effort to determine if either organization had any relevant information regarding the facility. Just Detention International advised that they had no relevant information regarding PREA compliance at the Beaver County Jail. As of this writing there has been no response from the Pennsylvania Coalition Against Rape.. Contact was successfully made with the Women's Center of Beaver County and that information is reflected in this report.

Sight lines were excellent in all housing areas. Information on reporting sexual violence and available services was prominently posted on all housing units. The audit notice was posted on all housing units, the main entrance to the facility and the inmate visitors waiting area.

Inmates were observed at recreation, during movement, work details (inside and outside the facility), meals, in medical, going through intake, and on the housing units. Observations of staff supervision practices were consistent with the agency's policies. Observed interactions between staff and inmates were professional, respectful and boundary appropriate.

The PREA screening for risk of sexual victimization and/or propensity to victimize others is conducted by corrections counselors on the date of admission, and documented in the inmate management system. All inmates interviewed acknowledged being screened on the date of admission as well as being seen by medical staff on the date of admission. A complete classification assessment is completed by a Counselor from Inmate Services within 48 hours of admission. Both the screening and classification are performed using an objective, standardized instrument. These instruments include questions about sexual orientation, gender identity, history of sexual abuse and abusiveness, and the inmates own perception of their vulnerability. Any alerts noted during the screening process that would necessitate medical or mental health follow-up are sent to the appropriate parties. Interviews with medical and mental health staff confirmed this process and that follow-up occurs with the required time frame.

The agency has two policies on the conduct of PREA investigations; one for sexual harassment and one for sexual abuse/assault. Beaver County Jail Policy and Procedure 7.09B, "Investigation of Sexual Assault/Sexual Abuse" and 7.09C, "Investigation of Sexual Harassment" gives clear direction on the steps to be taken once an allegation is received and policy and procedure 1.12 requires all staff, contractors, and volunteers to immediately report any knowledge of sexual harassment, sexual abuse or sexual assault to the shift supervisor. In the case of sexual harassment, the shift supervisor notifies the facility's PREA investigators, who will begin an administrative investigation. Interviews will be conducted of the alleged victim, suspected perpetrator and any witnesses. A review will be conducted (if applicable) of any prior complaints against the suspected perpetrator, as well as the victim. The credibility of the information received will be assessed on the bases of the Case and not on the status of the victim or alleged perpetrator. As a matter of routine, the facility notifies the DA's detectives of all alleged PREA violations (which exceeds the standards). If during the course of the administrative investigation it is determined that the harassment is criminal the Investigation will cease and the County Detective PREA Investigation Unit will be notified immediately and given all information that had been collected.

In cases of alleged sexual abuse and/or sexual assault, once the shift supervisor is made aware of the allegation the alleged victim & abuser must be separated immediately, in order to collect evidence. Appropriate steps will be taken to protect and preserve the crime scene. A request will be made to the alleged victim

not to take any action that could destroy physical evidence, while ensuring the alleged victim is not permitted to do the same. The Shift Supervisor will notify Medical and transport the victim as soon as possible to the Medical Department. Any physical markings found or evidence present in the Area where the assault occurred will be photographed immediately by Staff.

The Warden, PREA Coordinators and County Detective PREA Investigation Unit will be notified by the shift supervisor. The Sheriff's Department will be contacted for transport to the hospital for forensic examination and evidence collection. The Hospital will be notified by medical that a sexual abuse/assault victim is in route. The County Detective will notify a representative of the Women's Center to meet the victim at the Hospital.

Beaver County Jail reported 24 allegations of sexual abuse, assault and harassment. All 24 allegations were investigated. This auditor conducted a detailed review of all 24 allegations. However, of the 24 allegations reported ten were not actually PREA incidents or did not meet the DOJ definition of sexual harassment. Of the remaining allegations four were allegations of sexual abuse and ten were allegations of sexual harassment. Nine of the allegations were deemed unfounded, four were unsubstantiated and one was substantiated.

Initial administrative investigations regarding allegations of sexual harassment and sexual abuse are conducted by supervisors (lieutenant or higher) who have received prior investigations training and specialized training for investigators of sexual abuse in correctional settings. This training utilized the curriculum posted on the PREA Resource Center's website. A review of all 24 administrative investigations confirmed an aggressive and thorough investigation into all allegations of. Criminal investigations of sexual abuse and assault are conducted by detectives from the Beaver County District Attorney's Office. The facility refers all allegations of PREA violations to the detectives and allows DA's detectives to determine if the behavior rose to the level of criminal conduct. The primary District Attorney's Office detective who handles the majority of PREA investigations was contacted. He confirmed that there were fifteen allegations of PREA violations referred to his office for investigation during this audit period. One of those allegations involved conduct that did not occur at the facility. Of the remaining fourteen allegations, two were deemed to be potentially criminal in nature, six were unsubstantiated and seven were unfounded.

An MOU is in place with the Women's Center of Beaver County for crisis counseling and victims' services. Forensic examinations and evidence collection would be performed at the Heritage Valley Medical Center-Beaver by Sexual Assault Nurse Examiners.

This auditor interviewed the following staff titles (number in parentheses indicates more than one staff in that title was interviewed):

- Warden
- Deputy Warden
- Captain
- Lieutenant
- Sergeant

- Psychiatric Nurse
- Medical Administrator
- Mental Health Services Coordinator
- Agency PREA Coordinator
- Corrections Officer (9)
- Training Coordinator
- Classification Coordinator
- Deputy Sheriff – Regional Booking Center
- Jail House Assessor

16 random staff and Corrections Officers were selected for interviews to include staff from all housing units and all areas of program, as well as a representative number of female staff. Experience levels ranged from one month to over 31 years. All presented as very knowledgeable about their jobs and highly dedicated to keeping inmates and the community safe. All staff acknowledged receiving PREA training within the past year and over the course of their careers a significant amount of training related to cultural sensitivity, professional ethics and reporting responsibilities.

All staff members knew their responsibilities as related to mandatory reporting of allegations of sexual abuse, assault and harassment. All staff acknowledged having received PREA specific training as first responders and all knew what to do if they were a first responder. All Corrections Officers and supervisors interviewed were readily able to articulate their first responder duties. All felt supported by facility management, and had no fear regarding retaliation for reporting abuse. All felt empowered to proactively address issues related to sexual violence and were able to describe actions they would take to prevent and/or deter potential and/or imminent threats of sexual violence.

This auditor interviewed 37 inmates. There were two youthful inmates housed at the facility (neither inmate wished to be interviewed). The random inmates interviewed were a representative sample from each of the housing units and included a representative sample based on age, sex, race and length of stay. Length of stay for those interviewed ranged from one day to 22 months. There were no inmates who identified themselves as transgender, intersex, or that had been identified as gender non-conforming in appearance. There were no inmates who needed translation services (the agency's language services contracted was available if needed). No inmates had specifically requested to speak with this auditor. This auditor received no written correspondence from any inmate. All inmates acknowledged being asked about sexual orientation upon admission. All inmates interviewed had knowledge of the right to be free from sexual abuse, assault or harassment. All inmates were aware of at least two methods for reporting abuse, one of which was anonymous reporting via the inmate telephones. All inmates acknowledged being screened upon admission (initial screening actually occurs on date of admission, which exceeds the standard). The vast majority of inmates interviewed acknowledged receiving information upon admission on their right to be free from sexual abuse, assault and/or harassment. The facility provided documentation of inmates' receipt of the inmate handbook (which contains all required PREA information). All inmates interviewed said they currently felt safe at the facility.

The organized manner in which the interviews were facilitated by the PREA Coordinator made the process go very smoothly with no wasted time in between interviews.

## Facility Characteristics

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

The Beaver County Jail is a 402 bed secure facility for male and female inmates at all levels of security operated under the authority of the Beaver County Prison Board. The facility is comprised of a single structure with a secure perimeter. The building was purpose-built as a prison in 1998 and was designed to hold 402 inmates. The modern design offers excellent sight lines throughout the housing units. The facility is a combination of multiple and single occupancy cells. There are eight housing units (seven male and one female). The male housing units consist of work release, special needs, restrictive housing (segregation) and general population. While there is only one female housing unit it contains cells for general population, special needs, restrictive housing and work release. Each housing unit has at least two single cells. The Restrictive Housing Unit (RHU) and the Special Needs Unit (SNU) have all single cells. All cells have toilets and sinks. There is a privacy curtain for each toilet. Showers are single user stalls that are situated within the cell block to facilitate appropriate supervision and maintain safety without sacrificing the inmate's privacy.

The Beaver County Jail houses the following types of inmates:

- Pre-trial detainees
- County sentenced inmates
- State sentenced inmates – Technical Parole Violators
- Immigration and Customs Enforcement detainees
- Work release sentenced inmates

Each housing unit has its own outdoor recreation yard as well as a multi-purpose room right off the day room. There is a full-size indoor gymnasium. The gymnasium is not visible from any of the housing units and serves as the recreation area for youthful inmates. There is no central dining hall. All meals are served on the housing units.

There are a total of 116 cameras in the facility. There is one central control booth for viewing live images and one work station for viewing and downloading recorded images. The system has a minimum of 30 days retention time for recorded images. There is camera view of all doors in the facility. The system provides camera coverage for approximately 95 % of the facility. The current cameras on the housing units are pan/tilt/zoom (PTZ). The disadvantage of PTZ cameras is that the only recorded video is of what they are pointed at. The facility is in the process of updating its video surveillance system. Once completed, all cameras will be converted to digital IP cameras. Two additional panoramic fish-eye fixed cameras will be added to each of the housing units. Each panoramic fish-eye camera will be the equivalent of eight standard analog cameras. Work stations, which allow for viewing of live and recorded images, will be added to the Warden, Deputy Warden, Captain and Lieutenant's offices.

The facility serves as the regional booking center for all law enforcement agencies in the county. There is a separate, private area within the booking/intake unit equipped with teleconferencing facilities for video arraignments.

The facility maintains 24 hour medical coverage.

Beaver County Jail is certified by the Pennsylvania Department of Corrections every two years. They are scheduled for re-certification in 2019.

There were a total of 327 inmates at the facility on the first day of the audit. There were 268 males and 59 females. 59% of the population was white. 39% of the population was African-American and the remaining 2% was Asian or Pacific Islander, Biracial or other.

The Beaver County Jail maintains 24 hour supervisory coverage (Lieutenant or higher) as well as an On-Call Administrator.

## Summary of Audit Findings

*The summary should include the number of standards exceeded, number of standards met, and number of standards not met, **along with a list of each of the standards in each category.** If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance.*

**Auditor Note:** No standard should be found to be “Not Applicable” or “NA”. A compliance determination must be made for each standard.

**Number of Standards Exceeded:** Three

Standard 115.22, Standard 115.73 and Standard 115.86

**Number of Standards Met:** Forty One

Standard 115.11, Standard 115.12, Standard 115.13, Standard 115.14, Standard 115.15, Standard 115.16, Standard 115.17, Standard 115.18, Standard 115.21, Standard 115.31, Standard 115.32, Standard 115.33, Standard 115.34, Standard 115.35, Standard 115.41, Standard 115.42, Standard 115.51, Standard 115.52, Standard 115.53, Standard 115.54, Standard 115.61, Standard 115.62, Standard 115.63, Standard 115.64, Standard 115.65, Standard 115.66, Standard 115.67, Standard 115.68, Standard 115.71, Standard 115.72, Standard 115.76, Standard 115.77, Standard 115.78, Standard 115.81, Standard 115.82, Standard 115.83, Standard 115.87, Standard 115.88, Standard 115.89, Standard 115.401 and Standard 115.403.

**Number of Standards Not Met:** Zero

Not Applicable

**Summary of Corrective Action (if any)**

Not Applicable

**PREVENTION PLANNING**

**Standard 115.11: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator**

**All Yes/No Questions Must Be Answered by The Auditor to Complete the Report**

**115.11 (a)**

- Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?  Yes  No
- Does the written policy outline the agency’s approach to preventing, detecting, and responding to sexual abuse and sexual harassment?  Yes  No

**115.11 (b)**

- Has the agency employed or designated an agency-wide PREA Coordinator?  Yes  No
- Is the PREA Coordinator position in the upper-level of the agency hierarchy?  Yes  No
- Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?  Yes  No

**115.11 (c)**

- If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)  Yes  No  NA
- Does the PREA compliance manager have sufficient time and authority to coordinate the facility’s efforts to comply with the PREA standards? (N/A if agency operates only one facility.)  Yes  No  NA

## Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

## Instructions for Overall Compliance Determination Narrative

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

The Beaver County Jail Policy and Procedure 1.12B, "Prison Rape Elimination Act for Inmates", page 1, clearly articulates the agency's zero tolerance policy. The Beaver County Jail Policy and Procedure 1.12E, "PREA Coordinator", page 1 establishes the role of PREA Coordinator/Compliance Manager who reports directly to the warden. Agency organization chart and chain of command chart clearly depict the role of the Facility PREA Coordinator/Compliance Manager. Interview with the PREA Coordinator confirmed his knowledge of the PREA standards and commitment to the implementation of the PREA standards. The Beaver County Jail is the only facility operated by the agency and as such there are no other PREA compliance managers. Notice of the PREA compliance audit was posted on all housing units and other prominent locations throughout the facility. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.12: Contracting with other entities for the confinement of inmates

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.12 (a)

- If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)  Yes  No  NA

#### 115.12 (b)

- Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates OR the response to 115.12(a)-1 is "NO".)  Yes  No  NA

## Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

## Instructions for Overall Compliance Determination Narrative

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

Per this auditor's interview with the warden, Beaver County Jail does not contract with any other entity for the confinement of its inmates. In the event that the facility did end up contracting with another entity for the confinement of its inmates PA Title 37, Chapter 95 regulations require compliance with this standard. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.13: Supervision and monitoring

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.13 (a)

- Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?  Yes  No
- Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and

determining the need for video monitoring?  Yes  No

- Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No  NA
- Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No
- Does the agency ensure that each facility's staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring?  Yes  No

#### 115.13 (b)

- In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)  
 Yes  No  NA

#### 115.13 (c)

- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?  Yes  No

- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?  Yes  No
- In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?  Yes  No

### 115.13 (d)

- Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?  Yes  No
- Is this policy and practice implemented for night shifts as well as day shifts?  Yes  No
- Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 1.12C requires the Beaver County Jail to have a staffing plan in compliance with the PREA standards and that the plan is reviewed annually. The facility staffing plan was provided to this auditor. The plan is a multi-page form that has sections which need to be completed that address the following standard requirements:

- Any judicial findings of inadequacy;
- Any findings of inadequacy from Federal investigative agencies;
- Any findings of inadequacy from internal or external oversight bodies;
- Components of the physical plant including blind spots and areas where staff or inmates may be isolated);
- composition of the inmate population;
- Additional posts required based on programs occurring on a particular shift;

- PA DOC regulations;
- Any substantiated and unsubstantiated incidents of sexual abuse; and
- Available video surveillance.

Documentation of annual review of the plan was also provided. Beaver County Jail Policy and Procedure 1.12C, requires unannounced rounds. These rounds are documented in housing unit logs. This auditor was provided documentation of these rounds and interviews with supervisory staff and corrections officers confirmed that they occur. Observed staffing during the on-site audit demonstrated compliance with the staffing plan during program hours. Over-night staffing in compliance with the staffing plan was documented on staffing schedules, housing unit logs as well as interviews with staff. The facility reports that there were no instances of deviations from the staffing plan due to training, vacations, Family Medical Leave and other types of leave. Overtime is paid to maintain minimum staffing. There was no indication from any of the staff interviews that the staffing plan is not followed. The five female inmates interviewed stated that there had been no instance in the past year of them being confined to their cells due to a lack of female staff on duty to conduct searches.

Beaver County Jail's collective bargaining agreement with the corrections officer's union was reviewed by this auditor. The contract has provisions for minimum staffing numbers of corrections officers exclusive of supervisory staff. Additionally, PA Title 37, chapter 95 for the operation of county correctional institutions requires compliance with this standard. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.14: Youthful inmates

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.14 (a)

- Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates [inmates <18 years old].)  Yes  No  NA

#### 115.14 (b)

- In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates [inmates <18 years old].)  Yes  No  NA
- In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates [inmates <18 years old].)  Yes  No  NA

#### 115.14 (c)

- Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates [inmates <18 years old].)  Yes  No  NA
- Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates [inmates <18 years old].)  Yes  No  NA

- Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates [inmates <18 years old].)  
 Yes    No    NA

**Auditor Overall Compliance Determination**

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

**Instructions for Overall Compliance Determination Narrative**

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

Beaver County Jail had two youthful inmates on the first day of the on-site audit. They were housed together in a multiple occupancy cell in the intake unit. Both youth declined to be interviewed. Beaver County Jail Policy and Procedure 3.04, “Juveniles” requires compliance with this standard. The facility has the capacity to house the youthful inmates that affords sight and sound separation from the general population. There are cells in the intake unit that are sight and sound separated from the general population. Recreation (large muscle activity) is provided daily in the indoor gymnasium. There is no central dining hall. All meals are served on the housing units. Youthful inmates attend educational programming under the direct supervision of a corrections officer. All movement of the youthful inmates off the housing unit is escorted by a corrections officer. Due to the nature of their current charges neither youth is eligible to work off the housing unit. Based upon the above this standard was deemed to be in full compliance.

**Standard 115.15: Limits to cross-gender viewing and searches**

**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

**115.15 (a)**

- Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?  
 Yes    No

**115.15 (b)**

- Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20,2017.)  Yes    No    NA

- Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A here for facilities with less than 50 inmates before August 20, 2017.)  Yes  No  NA

#### 115.15 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?  Yes  No
- Does the facility document all cross-gender pat-down searches of female inmates?  Yes  No

#### 115.15 (d)

- Does the facility implement a policy and practice that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?  Yes  No
- Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?  Yes  No

#### 115.15 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?  Yes  No
- If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?  Yes  No

#### 115.15 (f)

- Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?  Yes  No
- Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?  Yes  No

#### Auditor Overall Compliance Determination

**Exceeds Standard** (*Substantially exceeds requirement of standards*)

- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail Policy and Procedures, 4.01, 4.03 and 4.08 prohibits cross gender strip searches and cross gender viewing of inmates showering, changing clothes and performing bodily functions. Beaver County Jail Policy and Procedures, 9.14 prohibits the use of facility cameras to view the private parts of inmates except during an emergency. The female inmates interviewed reported that they have never been searched by a male staff while at the Beaver County Jail. All random staff interviewed confirmed that cross-gender searches of female inmates do not occur. All inmates interviewed denied ever having been strip searched by an opposite gender staff. Beaver County Jail policy and procedure 1.12B, “Prison Rape Elimination Act for Inmates”, page 1, section II prohibits searching inmates for the purpose of determining if the inmate is transgender or intersex. All of the inmates interviewed denied ever being searched for this purpose. The corrections officers interviewed were aware that this type of search is prohibited. There are no cameras with a view inside bathrooms or showers. All inmates shower separately. This was confirmed via inmate interviews. All inmate interviewed acknowledged that they have reasonable privacy when showing, toileting and changing clothes. There are privacy curtains in each cell for the toilets. All staff interviewed stated that their presence is announced when they enter a housing unit of opposite gender inmates. Beaver County Jail policy and procedure 1.12B, “Prison Rape Elimination Act for Inmates”, page 4, section III requires opposite gender staff to announce their presence upon entering the housing unit. All inmates interviewed acknowledged that opposite gender staff announces their presence when entering housing units. This practice was also observed throughout the on-site audit. Based upon the above this standard was deemed to be in full compliance.

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

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.16 (a)

- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?  Yes  No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect,

and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?  Yes  No

- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities?  Yes  No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities?  Yes  No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities?  Yes  No
- Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes)?  Yes  No
- Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?  Yes  No
- Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?  Yes  No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities?  Yes  No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?  Yes  No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Are blind or have low vision?  Yes  No

#### 115.16 (b)

- Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?  Yes  No

- Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?  Yes  No

### 115.16 (c)

- Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate’s safety, the performance of first-response duties under §115.64, or the investigation of the inmate’s allegations?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail Policy and Procedure, “Prison Rape Elimination Act” pages 8-9 requires compliance with this standard. The facility has trained staff to assist disabled inmates in understanding their rights under PREA. The policy states on the same page that the use of inmate interpreters is prohibited. This auditor received copies of intake materials in Spanish. The facility has multiple Spanish speaking staff. A language interpretation service is available for all languages should the need arise. There is also American Sign Language interpretation available. There were no inmates currently at the facility that required the services of an interpreter. There was one inmate at the facility that had developmental disabilities. This inmate was interviewed. He clearly understood his rights under PREA. All of the above was confirmed via interviews with staff, inmates and the mental health clinician. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.17: Hiring and promotion decisions

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

### 115.17 (a)

- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?  Yes  No

- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?  Yes  No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above?  Yes  No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?  Yes  No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?  Yes  No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above?  Yes  No

#### 115.17 (b)

- Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates?  Yes  No

#### 115.17 (c)

- Before hiring new employees, who may have contact with inmates, does the agency: perform a criminal background records check?  Yes  No
- Before hiring new employees, who may have contact with inmates, does the agency: consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?  Yes  No

#### 115.17 (d)

- Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?  Yes  No

#### 115.17 (e)

- Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?  Yes  No

#### 115.17 (f)

- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?  Yes  No
- Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?  Yes  No
- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?  Yes  No

#### 115.17 (g)

- Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?  Yes  No

#### 115.17 (h)

- Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)  Yes  No  NA

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

#### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 1.12C, "Prison Rape Elimination Act for Staff", pages 1 - 2, requires compliance with this standard. These checks include clearance through the Pennsylvania child abuse registry. Employment applications specifically ask questions regarding prior sexual misconduct in an institutional setting, in the community, as well as any civil or administrative adjudication for sexual misconduct. Material omissions of sexual abuse or harassment incidents or the provision of materially false information are grounds for termination. The facility hired 23 new employees during this audit period. All 23 personnel records were examined. 23 new employees underwent background checks during this audit period. 351 contract personnel and volunteers underwent background checks during this audit period. Documentation of all background checks and clearances for this audit period was provided to this auditor. Background checks are repeated every five years. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.18: Upgrades to facilities and technologies

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.18 (a)

- If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)  
 Yes  No  NA

#### 115.18 (b)

- If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)  
 Yes  No  NA

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's*

conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

There have been no physical plant upgrades or renovations since the last audit. The agency has not acquired any new facilities since the last audit. BCJ upgraded its video surveillance system in 2018. Based upon the above this standard was deemed to be in full compliance.

## RESPONSIVE PLANNING

### Standard 115.21: Evidence protocol and forensic medical examinations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.21 (a)

- If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)  
 Yes  No  NA

#### 115.21 (b)

- Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)  Yes  No  NA
- Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)  Yes  No  NA

#### 115.21 (c)

- Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?  Yes  No
- Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?  Yes  No

- If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?  Yes  No
- Has the agency documented its efforts to provide SAFEs or SANEs?  Yes  No

#### 115.21 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?  Yes  No
- If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?  Yes  No
- Has the agency documented its efforts to secure services from rape crisis centers?  Yes  No

#### 115.21 (e)

- As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?  Yes  No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?  Yes  No

#### 115.21 (f)

- If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)  Yes  No  NA

#### 115.21 (g)

- Auditor is not required to audit this provision.

#### 115.21 (h)

- If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? [N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.21(d) above.]  Yes  No  NA

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

Beaver County Jail only conducts administrative investigations of sexual harassment. Criminal investigations are conducted by detectives from the Beaver County District Attorney’s Office. As a matter of routine the facility refers all allegations of PREA violations to the DA’s detectives and the detectives determine if the behavior rose to the level of criminal activity. The facility reports no allegations of sexual abuse or assault during this audit period. The lead detective from the Beaver County DA’s office confirmed that they did not conduct any investigations of sexual abuse or assault during this audit period. The facility reports there were no allegations which necessitated a forensic exam. The facility reports that, per agency medical protocols, all victims of sexual assault would receive a forensic examination (free of charge) from a Sexual Assault Nurse Examiner or other qualified medical professional at the local healthcare facility. Forensic examinations are not conducted by facility staff. All staff are trained to preserve incident scenes and measures to prevent evidence from being destroyed. Physical evidence collection of criminal acts may be performed by staff in a manner consistent with municipal law enforcements practices. This was confirmed via interviews with staff. Rape crisis and victim advocacy services are provided by the Women’s Center of Beaver County. Services are provided at no charge to the inmate.

Per this auditor’s interview with the warden, the Beaver County District Attorney’s office detectives have been advised of the need to comply with the PREA standards related to investigations. The lead detective from the Beaver County District Attorney’s Office confirmed this. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.22: Policies to ensure referrals of allegations for investigations

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.22 (a)

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?  Yes  No
- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?  Yes  No

### 115.22 (b)

- Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?  Yes  No
- Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?  Yes  No
- Does the agency document all such referrals?  Yes  No

### 115.22 (c)

- If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? [N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).]  Yes  No  NA

### 115.22 (d)

- Auditor is not required to audit this provision.

### 115.22 (e)

- Auditor is not required to audit this provision.

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail Policy and Procedure, 7.09B and 7.09C, were reviewed by this auditor. These policies meet all the requirements of this standard. It requires that all allegations of sexual harassment and sexual abuse be investigated. It requires that allegations that may be criminal in nature be referred to law enforcement and provides clear guidance for when Beaver County Jail may conduct an administrative investigation once a referral to law enforcement has been made.

These policies are posted on the agency website. All Beaver County Jail staff are mandated reporters of sexual abuse and/or harassment and all staff interviewed were aware of their obligations to report sexual abuse and/or harassment under agency policy. The facility reported 15 allegations of sexual harassment, sexual abuse or sexual assault during this audit period. There were 15 allegations referred to the law enforcement for investigation. This was confirmed by the lead detective at the Beaver County DA's Office. Per the detective, of the 15 allegations referred for criminal investigation, two rose to the level of criminal behavior after review by detectives. Sample investigation reports were reviewed by this auditor. Reports are extremely detailed and the file contains all evidence relevant to the investigation. Beaver County Jail policy requires reporting of sexual harassment allegations that do not rise to the level of sexual harassment as defined by the PREA standards (the standards specifically state "repeated" as a condition of the definition). Beaver County Jail is intentionally reporting and investigating single occurrences of sexual harassment in order to improve the conditions of confinement at the facility as they relate to PREA compliance, and they should be applauded for their efforts. This practice clearly exceeds the requirements of this standard.

## TRAINING AND EDUCATION

### Standard 115.31: Employee training

#### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.31 (a)

- Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?  Yes  No
- Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?  Yes  No
- Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment  Yes  No
- Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?  Yes  No
- Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?  Yes  No
- Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?  Yes  No
- Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?  Yes  No
- Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?  Yes  No

- Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?  Yes  No
- Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?  Yes  No

### 115.31 (b)

- Is such training tailored to the gender of the inmates at the employee's facility?  Yes  No
- Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?  Yes  No

### 115.31 (c)

- Have all current employees who may have contact with inmates received such training?  Yes  No
- Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?  Yes  No
- In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?  Yes  No

### 115.31 (d)

- Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail Policy and Procedure 1.12C, "Prison Rape Elimination Act for Staff", page 1 requires all staff with contact with inmates to be trained as required in this standard. The training curriculum, taken from the PREA Resource Center website and modified for the jail, meets all aspects of this standard. This is the same curriculum used for refresher training. All staff interviewed acknowledged that they had received the initial training and refresher training. Staff complete a written test and the end of the training to prove their understanding of the material. The facility PREA Compliance Manager submits a monthly report to the warden which includes documentation of staff training. Documentation was provided to this auditor confirming staff's understanding of the material presented. All staff interviewed were aware of their obligations related to the agency's PREA policy, their obligations as mandated reporters of sexual abuse and/or harassment, their duties as a first responder and agency protocols related to evidence collection.

The training curriculum utilized by the facility meets all aspects of this standard as follows:

<input checked="" type="checkbox"/> (1) Agency's zero tolerance policy for sexual abuse and sexual harassment.	Policy Reviews
<input checked="" type="checkbox"/> (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.	Policy Reviews
<input checked="" type="checkbox"/> (3) Inmates' right to be free from sexual abuse and sexual harassment.	Policy reviews
<input checked="" type="checkbox"/> (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment.	Policy reviews
<input checked="" type="checkbox"/> (5) The dynamics of sexual abuse and sexual harassment in confinement.	Handouts 1, 2, 3 and 4, and video
<input checked="" type="checkbox"/> (6) The common reactions of sexual abuse and sexual harassment victims.	Handouts 1, 2, 3 and 4
<input checked="" type="checkbox"/> (7) How to detect and respond to signs of threatened and actual sexual abuse.	Handout 5 (Case Scenario)
<input checked="" type="checkbox"/> (8) How to avoid inappropriate relationships with inmates.	Addressed during cultural sensitivity training, professional conduct training and employee rules and regulations training.
<input checked="" type="checkbox"/> (9) How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates.	Addressed during cultural sensitivity training, professional conduct training and employee rules and regulations training.
<input checked="" type="checkbox"/> (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.	Policy review

## Standard 115.32: Volunteer and contractor training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

### 115.32 (a)

- Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?  Yes  No

### 115.32 (b)

- Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?  Yes  No

### 115.32 (c)

- Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail policy and procedure 1.12D, "Prison Rape Elimination Act for Volunteers, Contractors and Outside Agencies", was reviewed by this auditor. All volunteers and contractors that have contact with inmates receive the same PREA training as employees. The training meets all the aspects of this standard. Volunteers must sign an acknowledgement that they have received and understood the training. One contract mental health clinician and two of the contract medical staff were interviewed at the time of the on-site audit and all acknowledged receiving PREA training. The PREA Coordinator, who oversees training for volunteers, confirmed via interview that all volunteers receive training annually. Documentation of signed acknowledgements was provided to this auditor. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.33: Inmate education

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.33 (a)

- During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?  Yes  No
- During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?  Yes  No

#### 115.33 (b)

- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?  Yes  No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?  Yes  No
- Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?  Yes  No

#### 115.33 (c)

- Have all inmates received such education?  Yes  No
- Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?  Yes  No

#### 115.33 (d)

- Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?  Yes  No
- Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?  Yes  No
- Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?  Yes  No
- Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?  Yes  No
- Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?  Yes  No

#### 115.33 (e)

- Does the agency maintain documentation of inmate participation in these education sessions?  Yes  No

#### 115.33 (f)

- In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?  Yes  No

## Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

## Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail's inmate education program is provided to inmates by the facility PREA Compliance Manager. The PREA Compliance Manager completes a monthly report for the warden regarding compliance with this standard. 12 months of monthly reports were reviewed by this auditor. The reports clearly document compliance with this standard. Inmates receive materials about PREA and their rights to be free from abuse upon admission. There is a translation service available if the need arises. American Sign Language translation is also available. Medical and mental health staff has received specialized training to assist inmates with disabilities in understanding their rights under PREA. All inmates interviewed were aware of their right to be free from sexual abuse and harassment, and knew multiple means of reporting allegations of abuse. All inmates acknowledged receiving the inmate education and written materials (inmate handbook). All inmates interviewed who were repeat offenders acknowledged receiving PREA education and written materials commensurate with their number of admissions. The facility maintains documentation that all inmates received the education. Posters in English and Spanish were clearly visible on all living units and throughout the facility. The telephone numbers for outside reporting and access to victim services are posted at each inmate telephone. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.34: Specialized training: Investigations

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.34 (a)

- In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)  Yes  No  NA

#### 115.34 (b)

- Does this specialized training include techniques for interviewing sexual abuse victims? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).]  Yes  No  NA
  
- Does this specialized training include proper use of Miranda and Garrity warnings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).]  Yes  No  NA
  
- Does this specialized training include sexual abuse evidence collection in confinement settings? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).]  Yes  No  NA
  
- Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).]  Yes  No  NA

#### 115.34 (c)

- Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? [N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).]  Yes  No  NA

#### 115.34 (d)

- Auditor is not required to audit this provision.

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

#### Instructions for Overall Compliance Determination Narrative

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

Per Beaver County Jail Policy and Procedure 1.12E, "PREA Coordinator" requires the facility to have three properly trained investigators for administrative investigations. Documentation of training for Beaver County Jail investigators was provided to this auditor. A review of completed investigations demonstrated the investigator's full understanding of the training. Beaver County Jail does not conduct criminal investigations of sexual abuse and assault. Such investigations are conducted by detectives from the Beaver County District Attorney's Office. This was confirmed via contact with the lead detective. The lead detective further advised that he and one of his detectives have received specialized PREA investigations training from the Pennsylvania Department of Corrections. From prior audits conducted in the Commonwealth of Pennsylvania this auditor has confirmed that this training complies with this standard. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.35: Specialized training: Medical and mental health care

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

### 115.35 (a)

- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment?  Yes  No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse?  Yes  No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment?  Yes  No
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment?  Yes  No

### 115.35 (b)

- If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.)  Yes  No  NA

### 115.35 (c)

- Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere?  Yes  No

### 115.35 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31?  Yes  No
- Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

Beaver County Jail Policy and Procedure 7.09B and 7.09C, mandate specialized training for medical and mental health staff as per the PREA standards. The facility’s PREA training provides extensive instruction on recognizing signs and symptoms of sexual abuse, as well as effective and professional communication skills when dealing with victims of sexual abuse. The facility evidence collection protocols are also extensively covered in the training. Documentation of training for contract providers was provided to this auditor. Interviews with the staff, both medical and mental health, of the contracted medical services provider confirmed staff training. Contract medical staff does not conduct forensic examinations. The agency’s protocol is to preserve/avoid destruction of evidence and then transport to the designated medical facility. Based upon the above this standard was deemed to be in full compliance.

## SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

### Standard 115.41: Screening for risk of victimization and abusiveness

**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

#### 115.41 (a)

- Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?  Yes  No

- Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?  Yes  No

#### 115.41 (b)

- Do intake screenings ordinarily take place within 72 hours of arrival at the facility?  
 Yes  No

#### 115.41 (c)

- Are all PREA screening assessments conducted using an objective screening instrument?  
 Yes  No

#### 115.41 (d)

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?  Yes  No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?  Yes  No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?  Yes  No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?  
 Yes  No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?  
 Yes  No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?  Yes  No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?  Yes  No

- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?  Yes  No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?  Yes  No
- Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?  Yes  No

#### 115.41 (e)

- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse?  Yes  No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses?  Yes  No
- In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse?  Yes  No

#### 115.41 (f)

- Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?  Yes  No

#### 115.41 (g)

- Does the facility reassess an inmate's risk level when warranted due to a: Referral?  Yes  No
- Does the facility reassess an inmate's risk level when warranted due to a: Request?  Yes  No
- Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse?  Yes  No
- Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?  Yes  No

#### 115.41 (h)

- Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?  Yes  No

#### 115.41 (i)

- Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?  Yes  No

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

#### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 3.01, "Housing Classification and Interviews", page 1 and 3.02, "Classification Codes System" addresses the standards related to screening inmates for risk of victimization and abusiveness. The PREA screening for risk of sexual victimization and/or propensity to victimize others is conducted by counseling staff and medical staff on the date of admission, and documented in the inmate management system. All inmates interviewed acknowledged being screened on the date of admission as well as being seen by medical staff on the date of admission. A full classification assessment is completed by a classification staff within 72 hours of admission. All new commitments to the jail are housed in single cells for the first 48 hours. Both the screening and classification are performed using an objective, standardized instrument. Access to screening information is limited to medical staff, mental health clinicians and a limited number of upper level administrators. The screening instrument includes documentation of:

- Height and weight
- Age
- Mental health concerns
- Developmental disabilities
- Physical disabilities
- History of prior incarceration
- Criminal history and current offense
- Appearance
- Sexual orientation, gender identity and gender non-conforming
- The inmates own perception of vulnerability

- Inmate’s request for protective custody
- History of abuse and/or abusiveness including prior sexual abuse or abusiveness

Page 3 of policy 3.01 requires reassessment of an inmate’s risk of victimization or abusiveness within 30 days of obtaining relevant information after the initial screening. Reassessments are also conducted as needed based on relevant institutional behaviors. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.42: Use of screening information

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.42 (a)

- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?  Yes  No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?  Yes  No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?  Yes  No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?  Yes  No
- Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?  Yes  No

#### 115.42 (b)

- Does the agency make individualized determinations about how to ensure the safety of each inmate?  Yes  No

#### 115.42 (c)

- When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate’s health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?  Yes  No

- When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?  
 Yes  No

#### 115.42 (d)

- Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?  
 Yes  No

#### 115.42 (e)

- Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?  Yes  No

#### 115.42 (f)

- Are transgender and intersex inmates given the opportunity to shower separately from other inmates?  Yes  No

#### 115.42 (g)

- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status?  Yes  No
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status?  Yes  No
- Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status?  Yes  No

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

**Does Not Meet Standard** (Requires Corrective Action)

### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail Policy and Procedure 3.01 and 3.02 addresses how the information obtained during screening is utilized to inform programming and housing decisions. Inmates are assigned to the Special Needs Unit for a variety of reasons as it relates to this standard, was not used during this audit period. A review of documentation of classification decisions and housing assignments clearly showed that the decisions are case-by-case, and that there is no designated unit for transgender or intersex inmates. Interviews with all staff and inmates confirmed compliance with this standard. Beaver County Jail Policy and Procedure 3.01, "Housing Classification and Interviews", page 3 requires that housing assignment decisions for transgender and intersex inmates be done on a case by case basis, based on the health and safety needs of the inmate and the facility. Beaver County Jail Policy and Procedure 3.01, "Housing Classification and Interviews", page 3 prohibits the formation of a segregated LGBTI housing unit. The facility reports that there were no transgender or intersex inmates admitted to BCJ during this audit period and therefore no documentation of practice to review for compliance. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.43: Protective Custody

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.43 (a)

- Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?  Yes  No
- If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?  Yes  No

#### 115.43 (b)

- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?  Yes  No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?  Yes  No
- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?  Yes  No

- Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?  Yes  No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited?  Yes  No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation?  Yes  No
- If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations?  Yes  No

#### 115.43 (c)

- Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?  Yes  No
- Does such an assignment not ordinarily exceed a period of 30 days?  Yes  No

#### 115.43 (d)

- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?  Yes  No
- If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?  Yes  No

#### 115.43 (e)

- In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?  Yes  No

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

#### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail Policy and Procedure 1.12B, "Prison Rape Elimination Act for Inmates", pages 1, 2 and 4 address the use of protective custody. The provisions of the policy comply with this standard. The facility reported 12 instances of involuntary protective custody lasting less than 24 hours during this audit period. All of these instances were based on incidents occurring at the facility and not based on initial risk assessments. Involuntary protective custody beyond 24 was not used during this audit period. Involuntary protective custody was used in these instances in order to provide for the inmates safety while investigators are determining whether or not the allegations may have involved sexual abuse. A review of documentation of classification decisions and housing assignments clearly showed that the decisions are case-by-case, and involuntary protective custody is used only as last resort and for the shortest period of time necessary to ensure the inmates safety. Interviews with all inmates confirmed compliance with this standard. The vast majority of inmates in protective custody at Beaver County Jail are there at their own request (see inmate handbook). One inmate victim of sexual harassment interviewed by this auditor was placed in involuntary protective custody for the time it took to determine that the allegation was sexual harassment and not sexual abuse as initially report. Based upon the above this standard was deemed in full compliance.

## REPORTING

### Standard 115.51: Inmate reporting

**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

#### 115.51 (a)

- Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?  Yes  No
- Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?  Yes  No
- Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?  Yes  No

#### 115.51 (b)

- Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?  Yes  No
- Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?  Yes  No

- Does that private entity or office allow the inmate to remain anonymous upon request?  
 Yes  No
- Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security?  Yes  No

#### 115.51 (c)

- Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?  Yes  No
- Does staff promptly document any verbal reports of sexual abuse and sexual harassment?  
 Yes  No

#### 115.51 (d)

- Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?  Yes  No

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

#### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail Policy and Procedure 1.12, "Sexual Assault/Rape and Misconduct" page 1 and 1.12C, "Prison Rape Elimination Act for staff", page 1, appropriately address this standard. All staff, contractors and volunteers are mandated to report sexual abuse, assault and harassment. They are also mandated to accept any report from an inmate or third party. All inmates interviewed knew at least two means to report sexual abuse or harassment (report to staff and Hotline via inmate telephone system were the most common responses). All knew where to find the Hotline number to report abuse outside the agency. The Hotline is a service to all county correctional facilities by the Pennsylvania Department of Corrections. Allegations of acts that have already occurred are sent via email to the warden and PREA Coordinator. Allegations involving the imminent threat of sexual violence are immediately called into the facility for prompt response. The calls can be made anonymously, without the use of an inmate's PIN. This auditor tested the system to confirm this information. Only one of the inmates interviewed had ever reported sexual harassment while in the Beaver County Jail. The investigation file

for this incident was reviewed by this auditor. Not only was a full administrative investigation conducted, the incident was referred to the Beaver County detectives. Inmates receive a handout at admission regarding how to report abuse and there are posters throughout the facility and on all housing units with the information. All staff are mandated reporters of abuse per Beaver County Jail Policy and Procedure "Prison Rape Elimination Act for Staff", page 1, and the laws of the Commonwealth of Pennsylvania. All staff interviewed were aware of their obligations as mandated reporters. The facility does not house inmates detained solely for civil immigration purposes.

## Standard 115.52: Exhaustion of administrative remedies

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.52 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.  Yes  No  NA

#### 115.52 (b)

- Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)  Yes  No  NA
- Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)  Yes  No  NA

#### 115.52 (c)

- Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)  Yes  No  NA
- Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)  Yes  No  NA

#### 115.52 (d)

- Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)  Yes  No  NA

- If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)  
 Yes    No    NA
- At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)  Yes    No    NA

#### 115.52 (e)

- Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)  
 Yes    No    NA
- Are those third parties also permitted to file such requests on behalf of inmates? (If a third-party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)  Yes    No    NA
- If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)  
 Yes    No    NA

#### 115.52 (f)

- Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)  Yes    No    NA
- After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)  
 Yes    No    NA
- After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)  Yes    No    NA
- After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)  
 Yes    No    NA

- Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)  Yes  No  NA
- Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)  Yes  No  NA
- Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)  Yes  No  NA

### 115.52 (g)

- If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)  Yes  No  NA

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

The Beaver County Jail inmate grievance process fully complies with all aspects of this standard. The inmate grievance process is not the intended means to report allegations of sexual abuse, assault or harassment. While the PREA handout that inmates receive upon admission to the facility lists a grievance as one means of reporting sexual abuse or harassment, the grievance would automatically trigger the facility's PREA incident response plan. It would not be processed as a grievance; it would be treated as a written report of sexual abuse or sexual harassment. The facility reports that it received two grievances alleging sexual abuse or harassment during the audit period. A review of the responses supports full compliance. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.53: Inmate access to outside confidential support services

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

### 115.53 (a)

- Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?  Yes  No
- Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies?  Yes  No
- Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?  Yes  No

### 115.53 (b)

- Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?  Yes  No

### 115.53 (c)

- Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?  Yes  No
- Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

A Memorandum of Understanding with the Women's Center of Beaver County exists for the provision of these services. Beaver County Jail Policy and Procedure 1.12, "Sexual Assault/Rape and Sexual Misconduct", and 7.09B,

"Investigation of Sexual Assault/Sexual Abuse", address access to these services. Interviews with medical and mental health staff confirmed that inmates would be advised about confidentiality prior to accessing the services. The Women's Center of Beaver County advised that they provided services to two inmates during this audit period and were following up on a referral made during the on-site audit. Information is provided to all inmates during the inmate education program. All alleged victims of sexual abuse/assault are provided the telephone number and mailing address. This was confirmed during inmate interviews. Inmates who report prior abuse during intake are advised of the availability services and information on how to request services. The facility does not house inmates detained solely for civil immigration purposes. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.54: Third-party reporting

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.54 (a)

- Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?  Yes  No
- Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail's public website lists the hotline number to call if sexual abuse or harassment is suspected. All inmates interviewed acknowledged that they knew they could report abuse via a third party. One victim and the inmate who made the third party report were interviewed. Both interviews supported full compliance. All inmates interviewed acknowledged ready access to contact with their families (visiting and telephone calls) and the ability to contact their lawyer if they so desired. All staff interviewed acknowledged that they would accept a third party report of abuse and respond in the same manner as if they had witnessed the abuse themselves. The Hotline number is also posted in the visitors waiting area and visiting rooms. Based upon the above this standard was deemed to be in full compliance.

# OFFICIAL RESPONSE FOLLOWING AN INMATE REPORT

## Standard 115.61: Staff and agency reporting duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

### 115.61 (a)

- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?  Yes  No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?  Yes  No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?  Yes  No

### 115.61 (b)

- Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?  Yes  No

### 115.61 (c)

- Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?  Yes  No
- Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?  Yes  No

### 115.61 (d)

- If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?  Yes  No

### 115.61 (e)

- Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?  Yes  No

## Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

Beaver County Jail Policy and Procedure 1.12C “Prison Rape Elimination Act for Staff”, page 2 and 1.12D, Prison Rape Elimination Act for Volunteers, Contractors and Outside Agencies” addresses the requirements of this standard. All staff, contractors, and volunteers are mandated by policy to report any knowledge of sexual abuse or harassment. The policy further prohibits staff from revealing information regarding a sexual abuse report except on a need to know basis. All staff, contractors, and volunteers receive training as to how to fulfill their obligations as mandated reporters (what to report and how to report it). All staff and contractors interviewed were aware of the obligations as mandated reporters. Of the 24 allegations of sexual harassment and reported by the facility for this audit period all were reported to the facility’s designated investigators and six were referred to the Beaver County Detectives. The facility provided documentation of responses to inmates calls to PREA hot-line. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.62: Agency protection duties

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.62 (a)

- When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 1.12B, "Prison Rape Elimination Act for Inmates", page 1 addresses the requirements of this standard. The facility states there were no reported instances of an inmate being determined to be in substantial risk of imminent sexual abuse. None of the inmates interviewed reported ever being at imminent risk of sexual violence or filing a grievance alleging an imminent threat. All staff interviewed were able to articulate means that they would use to protect inmates should this occur. These included immediately calling for a supervisor to respond to the location; keeping the inmate under arms-length supervision until the supervisor arrives; and, if necessary based on the imminent nature of the threat, securing the inmate alone in a cell. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.63: Reporting to other confinement facilities

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.63 (a)

- Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?  Yes  No

#### 115.63 (b)

- Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?  Yes  No

#### 115.63 (c)

- Does the agency document that it has provided such notification?  Yes  No

#### 115.63 (d)

- Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 3.05, page 2, section III complies with this standard. Beaver County Jail reported that it did not receive any reports of inmates being sexually abused at another confinement facility during this audit period and therefore had no documentation to show this auditor regarding such actions. Beaver County Jail reported that it received one allegation of sexual abuse from another facility. Documentation of the investigations was provided to this auditor. Based upon the above this standard was deemed to be in full compliance.

## **Standard 115.64: Staff first responder duties**

### **All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

#### **115.64 (a)**

- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?  
 Yes  No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?  Yes  No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?  Yes  No
- Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?  Yes  No

#### **115.64 (b)**

- If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?  Yes  No

### **Auditor Overall Compliance Determination**

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

All staff interviewed were able to articulate their first responder duties. All staff receive training regarding first responder duties. Beaver County Jail Policy and Procedure 1.12, Sexual Assault/Rape and Misconduct”, 1.12C, “Prison Rape Elimination Act for Staff”, page 2, and 7.09B, “Investigation of Sexual Assault/Sexual Abuse” complies with this standard. There were seven instances of alleged sexual abuse reported during this audit period. Of those seven instances, all seven allegations involved staff separating victims (none involved separating in-progress incident) from abusers and one involved collection of physical evidence. Documentation of these actions was provided to this auditor and support full compliance. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.65: Coordinated response

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.65 (a)

- Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s*

conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

A copy of the facility's coordinated response plan was provided to this auditor (Beaver County Jail Policy and Procedure, "Response to Sexual Abuse"). The plan provides clear and concise direction for response to any alleged PREA violation. Documentation of the plans use was reviewed by this auditor. The documentation provided shows clear evidence that the coordinated response plan was used. All staff interviewed were aware of the facility's institutional plan and where to locate the document. Based upon the above this standard was deemed to be in full

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

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.66 (a)

- Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?  Yes  No

#### 115.66 (b)

- Auditor is not required to audit this provision.

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

The collective bargaining agreement entered into by Beaver County on behalf of the Beaver County Jail and the jail's corrections officers was reviewed by this auditor. There is nothing in the contract that would violate this standard. The contract very clearly states that the county retains all rights in supervising and directing the work force; to reprimand,

suspend, discharge or otherwise discipline employees for cause. Beaver County Jail Policy and Procedure 1.12C, "Prison Rape Elimination Act for Staff", page 2 and 7.09B, "Investigation of Sexual Assault/Sexual Abuse" "specifically states that staff members face loss of the job, criminal charges and conviction for sexual abuse of inmates. The facility reports that four staff were disciplined for sexual abuse or sexual harassment during this audit period. Three were terminated and one received disciplinary sanctions Per the lead detective from the Beaver County DA's office, two of the PREA investigations conducted at the jail involved staff as the victimizer. One of these was not a PREA violation as the incident did not involve activity occurring in the jail. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.67: Agency protection against retaliation

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.67 (a)

- Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?  Yes  No
- Has the agency designated which staff members or departments are charged with monitoring retaliation?  Yes  No

#### 115.67 (b)

- Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?  Yes  No

#### 115.67 (c)

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?  Yes  No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?  Yes  No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?  Yes  No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?  Yes  No

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?  Yes  No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?  Yes  No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?  Yes  No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?  Yes  No
- Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?  Yes  No

#### 115.67 (d)

- In the case of inmates, does such monitoring also include periodic status checks?  
 Yes  No

#### 115.67 (e)

- If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?  
 Yes  No

#### 115.67 (f)

- Auditor is not required to audit this provision.

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's*

conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

Beaver County Jail Policy and Procedure, 1.12E, "PREA Coordinator", page 1 names the PREA Compliance Manager as the person responsible for monitoring for retaliation against staff or inmates. Monitoring for retaliation is documented in the monthly reports completed by the PREA Compliance Manager. The facility reports that there were no reports or complaints of retaliation during this audit period. Per interviews with the Warden and the facility's PREA Compliance Manager, retaliation should be reported by corrections officers and inmates to any available supervisor and/or the PREA Coordinator. Appropriate measures would be taken to stop retaliation. These measures would include transfer of the inmate(s) retaliator; keep separate orders (inmate from inmate and inmate from staff) and transfers to other county jails. One of the inmates that made an allegation and the alleged victim were still in the facility to be interviewed regarding this standard. Both denied having been the subject of any type of retaliation, but did acknowledge having multiple follow up visits from the PREA Coordinator to see how they were doing. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.68: Post-allegation protective custody

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.68 (a)

- Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?  Yes  No

#### Auditor Overall Compliance Determination

- Exceeds Standard (*Substantially exceeds requirement of standards*)
- Meets Standard (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard (*Requires Corrective Action*)

#### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 1.12B, "Prison Rape Elimination Act for Inmates", page 1 states that involuntary protective custody will only be used as a last resort. The facility reports that there were no instances of involuntary protective custody being used during this audit period. Interview with the PREA Compliance Manager confirmed that inmates are only held on the SNU while awaiting a determination of the safest place to house them and then return to the general population (usually their original housing unit unless the inmate specifically requests a transfer. In the event an

inmate remains in involuntary protective custody for 30 days, the Program Review Committee is required to meet and review that decision.. Based upon the above this standard was deemed to be in full compliance.

## INVESTIGATIONS

### Standard 115.71: Criminal and administrative agency investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.71 (a)

- When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).]  Yes  No  NA
- Does the agency conduct such investigations for all allegations, including third party and anonymous reports? [N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).]  Yes  No  NA

#### 115.71 (b)

- Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?  Yes  No

#### 115.71 (c)

- Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?  Yes  No
- Do investigators interview alleged victims, suspected perpetrators, and witnesses?  
 Yes  No
- Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?  Yes  No

#### 115.71 (d)

- When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?  Yes  No

#### 115.71 (e)

- Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?  Yes  No

- Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?  Yes  No

#### 115.71 (f)

- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?  Yes  No
- Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?  Yes  No

#### 115.71 (g)

- Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?  Yes  No

#### 115.71 (h)

- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?  Yes  No

#### 115.71 (i)

- Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?  Yes  No

#### 115.71 (j)

- Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?  Yes  No

#### 115.71 (k)

- Auditor is not required to audit this provision.

#### 115.71 (l)

- When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)  Yes  No  NA

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

**Instructions for Overall Compliance Determination Narrative**

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

Beaver County Jail does not conduct criminal investigations of sexual abuse and/or sexual assault. Those are conducted by detectives from the Beaver County District Attorney’s Office. Beaver County Jail Policy and Procedure 7.09C “Investigation of Sexual Harassment”, complies with this standard relative to administrative investigations. Beaver County Jail investigators completed specialized PREA investigations training and follow the protocols there in when conducting initial investigations related to allegations of sexual abuse and sexual harassment. Documentation of this training was provided to this auditor. A review of prior sexual harassment investigation reports confirmed the investigators’ understanding of this policy and their training. The primary detective from the DA’s office was contacted. The detective came across as an extremely knowledgeable investigator. 15 allegations of sexual harassment were investigated during this audit period. Six allegations were deemed unsubstantiated and two were deemed substantiated and seven were deemed unfounded after the completion of the investigation. Per the lead detective the majority of unsubstantiated cases are due to the victim not wanting to testify and/or a lack of evidence. Based upon the above this standard was deemed to be in full compliance and exceeds the standard.

**Standard 115.72: Evidentiary standard for administrative investigations**

**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

**115.72 (a)**

- Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?  Yes  No

**Auditor Overall Compliance Determination**

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

## Instructions for Overall Compliance Determination Narrative

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

Per Beaver County Jail Policy and Procedure 7.09C "Investigation of Sexual Harassment", page 1 a preponderance of evidence is the standard. A review of administrative investigation reports for alleged sexual harassment confirms the evidentiary standard is being followed. Interviews with investigators support full compliance. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.73: Reporting to inmates

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.73 (a)

- Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?  Yes  No

#### 115.73 (b)

- If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)  Yes  No  NA

#### 115.73 (c)

- Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The staff member is no longer posted within the inmate's unit?  Yes  No
- Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The staff member is no longer employed at the facility?  Yes  No
- Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?  Yes  No

- Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the inmate whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?  Yes  No

#### 115.73 (d)

- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?  
 Yes  No
- Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?  
 Yes  No

#### 115.73 (e)

- Does the agency document all such notifications or attempted notifications?  Yes  No

#### 115.73 (f)

- Auditor is not required to audit this provision.

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

#### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 1.12B, "Prison Rape Elimination Act for Inmates", page 3 meets the requirements of this standard. There were seven reported allegations of sexual abuse during this audit period. Documentation of reports to inmates was provided to this auditor. Additionally, inmates receive notification of the outcome investigations regarding sexual harassment at the conclusion of the investigation. Documentation of reports to inmates was provided to this auditor. The documentation includes notification of the results of reviews conducted by the DA's detectives to ensure that the

behavior did not rise to the level of criminal behavior. As the standard only requires reporting to inmates the results of investigations into allegations of sexual abuse, the facility's practice of reporting to inmates regarding sexual harassment exceeds this standard. Based upon the above this standard was deemed to be in full compliance.

## DISCIPLINE

### Standard 115.76: Disciplinary sanctions for staff

**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

#### 115.76 (a)

- Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?  Yes  No

#### 115.76 (b)

- Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?  Yes  No

#### 115.76 (c)

- Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?  Yes  No

#### 115.76 (d)

- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)?  Yes  No
- Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?  Yes  No

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

## Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 1.12C, "Prison Rape Elimination Act for Staff", page 2 addresses the requirements of this standard. Four employees were alleged to have violated agency policy regarding sexual abuse and harassment. There were three reported employee terminations during this audit period for staff misconduct. There was one allegation of staff misconduct that did not occur at the facility. This incident resulted in disciplinary sanctions.

The District Attorney's Office detectives conducted a total of 4 investigations involving staff and determined that the behaviors did not rise to the level of criminal conduct. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.77: Corrective action for contractors and volunteers

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.77 (a)

- Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?  Yes  No
- Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?  Yes  No
- Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?  Yes  No

#### 115.77 (b)

- In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

## Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 1.12D, "Prison Rape Elimination Act for Volunteers, Contractors and Outside Agencies", page 2 addresses the requirements of this standard. The facility reported that there were no instances of sexual abuse, assault or harassment by contractors or volunteers occurring during this audit period, and therefore there was no documentation to review for compliance. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.78: Disciplinary sanctions for inmates

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.78 (a)

- Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?  Yes  No

#### 115.78 (b)

- Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?  Yes  No

#### 115.78 (c)

- When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?  Yes  No

#### 115.78 (d)

- If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?  Yes  No

#### 115.78 (e)

- Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?  Yes  No

**115.78 (f)**

- For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?  Yes  No

**115.78 (g)**

- Does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)  Yes  No  NA

**Auditor Overall Compliance Determination**

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

**Instructions for Overall Compliance Determination Narrative**

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

Beaver County Jail Policy and Procedure 7.09 B, “Investigation of Sexual Assault/Sexual Abuse”, page 2 and Beaver County Jail Inmate Handbook disciplinary procedure section address all required elements of this standard. The facility reported three instances of disciplinary action being taken against inmates after administrative investigations were completed. Two of the three instances of disciplinary sanctions were for sexual harassment. The facility rules prohibit all sexual activity between inmates. Upon review, disciplinary sanctions for violations were commensurate with the severity of the incident. The third instance was for alleged sexual abuse. The inmate was found guilty after trial. Based upon the above this standard was deemed to be in full compliance.

**MEDICAL AND MENTAL CARE**

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

**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

### 115.81 (a)

- If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)  
 Yes  No  NA

### 115.81 (b)

- If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)  Yes  No  NA

### 115.81 (c)

- If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?  Yes  No

### 115.81 (d)

- Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?  
 Yes  No

### 115.81 (e)

- Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

Beaver County Jail Policy and Procedure 7.01, "Health Examination", pages 1 - 2 addresses the requirements of this standard. Inmates admitted to Beaver County Jail are seen by medical staff on the date of admission. Medical staff performing the inmate's intake utilize a standardized screening tool to determine if an inmate has any immediate and/or emergency medical or mental health needs. This information is recorded in the inmate management system and notifications are sent to the appropriate parties for follow up. This instrument includes asking the inmate about prior sexual abuse. All inmates interviewed confirmed that they were seen by medical staff shortly after arrival at the facility and that they were asked about prior sexual abuse. Interview with medical staff confirmed that screening includes history of sexual abuse. Per medical staff interviewed, inmates have access to all the same medical services available in the community. When a disclosure of prior abuse occurs, and services are offered by Medical and Mental Health staff, this is documented in the inmate's medical record. Based upon all of the above this standard was deemed to be in full compliance.

## **Standard 115.82: Access to emergency medical and mental health services**

### **All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

#### **115.82 (a)**

- Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?  
 Yes  No

#### **115.82 (b)**

- If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?  Yes  No
- Do security staff first responders immediately notify the appropriate medical and mental health practitioners?  Yes  No

#### **115.82 (c)**

- Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?  Yes  No

#### **115.82 (d)**

- Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?  
 Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail’s coordinated response plan addresses the requirements of this standard. Beaver County Jail Policy and Procedure 7.09B, “Investigation of Sexual Assault/Sexual Abuse”, requires that the inmate’s medical and mental health needs are met. The MOU with the Women’s Center of Beaver County and Beaver County Jail Inmate Handbook clearly states that services will be provided to the inmate free of charge. All inmates that made an allegation of sexual abuse or harassment are offered the opportunity to contact the Women’s Center. Documentation of this offer, including inmate’s signature are maintained in the investigation file. Contact with the Women’s Center confirmed they have provided or attempted to provide services to inmates during this audit period. Based upon the above this standard was deemed to be in full compliance.

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

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.83 (a)

- Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?  Yes  No

#### 115.83 (b)

- Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?  Yes  No

### 115.83 (c)

- Does the facility provide such victims with medical and mental health services consistent with the community level of care?  Yes  No

### 115.83 (d)

- Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.)  Yes  No  NA

### 115.83 (e)

- If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.)  Yes  No  NA

### 115.83 (f)

- Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?  Yes  No

### 115.83 (g)

- Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?  Yes  No

### 115.83 (h)

- If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)  Yes  No  NA

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The MOU with the Women’s Center of Beaver County and Beaver County Jail Policy and Procedure 1.12, “Sexual Assault/Rape and Misconduct”, address the requirements of this standard for victims. Both clearly state that services will be provided to the inmate free of charge. As previously noted disclosures at the time of admission are recorded in the inmate management system. Notifications are then made to the appropriate parties for necessary follow-up evaluations and assessments. Interviews with the Medical Administrator and Mental Health Assessor confirmed this practice. All ongoing medical care beyond the scope of facility medical staff would be provided by community providers. The inmate would have the option of facility clinical staff or community providers for ongoing mental health services. Due to the short-term nature of the jail treatment services for sexual offenders is inappropriate. The facility reported one instances of sexual abuse during this audit period and reported no instances of pregnancy or vaginal penetration which would necessitate pregnancy testing. Based upon the above this standard was deemed to be in full compliance.

## DATA COLLECTION AND REVIEW

### Standard 115.86: Sexual abuse incident reviews

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.86 (a)

- Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?  Yes  No

#### 115.86 (b)

- Does such review ordinarily occur within 30 days of the conclusion of the investigation?  Yes  No

#### 115.86 (c)

- Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?  Yes  No

#### 115.86 (d)

- Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?  Yes  No
- Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?  Yes  No

- Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?  Yes  No
- Does the review team: Assess the adequacy of staffing levels in that area during different shifts?  Yes  No
- Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?  Yes  No
- Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1) - (d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?  Yes  No

### 115.86 (e)

- Does the facility implement the recommendations for improvement, or document its reasons for not doing so?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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Beaver County Jail Policy and Procedure 1.12, "Sexual Assault/Rape and Misconduct", pages 1 - 3 requires that sexual abuse incident reviews occur. There were 2 instances of sexual abuse that were deemed substantiated or unsubstantiated. A review of these incident reviews showed that they were completed within the 30 day time frame. The incident review team includes deputy and assistant wardens, medical, mental health and training. Reviews address policy, procedures, staffing and physical plant considerations relevant to the incident. Based upon the above this standard was deemed to be in full compliance.

### Standard 115.87: Data collection

#### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

### 115.87 (a)

- Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?  Yes  No

### 115.87 (b)

- Does the agency aggregate the incident-based sexual abuse data at least annually?  Yes  No

### 115.87 (c)

- Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?  Yes  No

### 115.87 (d)

- Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?  Yes  No

### 115.87 (e)

- Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)  Yes  No  NA

### 115.87 (f)

- Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)  Yes  No  NA

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does*

*not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

Beaver County Jail Policy and Procedure, "Prison Rape Elimination Act", page 6 complies with this standard. Beaver County Jail also maintains electronic records for inmates and collects data on all allegations of sexual abuse using a standardized format. The form contains standardized definitions. Combined these systems allow Beaver County Jail to access data sufficient to complete the annual survey of sexual violence. The facility reports that it has not been requested to submit the survey of sexual violence to the Department of Justice. The agency's public website was reviewed by this auditor. The aggregate data for Beaver County Jail is available to the public. Based upon the above this standard was deemed to be in full compliance.

## **Standard 115.88: Data review for corrective action**

### **All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

#### **115.88 (a)**

- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?  Yes  No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?  Yes  No
- Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?  Yes  No

#### **115.88 (b)**

- Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?  Yes  No

#### **115.88 (c)**

- Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?  Yes  No

#### **115.88 (d)**

- Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?  Yes  No

## Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

## Instructions for Overall Compliance Determination Narrative

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

The agency's public website was reviewed by this auditor. The most recent, available annual PREA report is available via the website. The annual report is a combination of the survey of sexual violence and a narrative discussing statistical information related to PREA incidents, including any corrective actions taken. The annual report addresses all elements of this standard. Beaver County Jail Policy and Procedure, "Prison Rape Elimination Act", page 6 addresses the retention requirements of this standard. Based upon the above this standard was deemed to be in full compliance.

## Standard 115.89: Data storage, publication, and destruction

### All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

#### 115.89 (a)

- Does the agency ensure that data collected pursuant to § 115.87 are securely retained?  
 Yes  No

#### 115.89 (b)

- Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?  Yes  No

#### 115.89 (c)

- Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?  Yes  No

#### 115.89 (d)

- Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?  Yes  No

### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

### Instructions for Overall Compliance Determination Narrative

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

The Beaver County Jail maintains inmate records indefinitely. A review of the data available on the inmate management system shows records go back to 1998 (the year the system was put in place). A review of the data available on the Beaver County Jail website supports full compliance for this standard. There is no individual identifying information contained in the aggregate data or the reports related to the data posted. Based upon the above this standard was deemed to be in full compliance.

## AUDITING AND CORRECTIVE ACTION

### Standard 115.401: Frequency and scope of audits

**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

#### 115.401 (a)

- During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (*Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.*)  Yes  No

#### 115.401 (b)

- Is this the first year of the current audit cycle? (*Note: a "no" response does not impact overall compliance with this standard.*)  Yes  No

- If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is **not** the *second* year of the current audit cycle.)  Yes  No  NA
- If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is **not** the *third* year of the current audit cycle.)  Yes  No  NA

#### 115.401 (h)

- Did the auditor have access to, and the ability to observe, all areas of the audited facility?  Yes  No

#### 115.401 (i)

- Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?  Yes  No

#### 115.401 (m)

- Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?  Yes  No

#### 115.401 (n)

- Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?  Yes  No

#### Auditor Overall Compliance Determination

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

#### Instructions for Overall Compliance Determination Narrative

*The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does*

*not meet the standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.*

This auditor has conducted all PREA compliance audits for BCJ since this standard was published. This is the second PREA compliance audit for BCJ. This auditor had unrestricted access to, and the ability to observe, all areas of the audited facility. This auditor was permitted to request and receive copies of any relevant documents (including electronically stored information). This auditor was permitted to conduct private interviews with inmates and staff. Inmates were permitted to send confidential correspondence to this auditor. Based upon the above this standard was deemed to be in full compliance.

## **Standard 115.403: Audit contents and findings**

### **All Yes/No Questions Must Be Answered by the Auditor to Complete the Report**

#### **115.403 (f)**

- The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports within 90 days of issuance by auditor. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or in the case of single facility agencies that there has never been a Final Audit Report issued.)  Yes  No  NA

#### **Auditor Overall Compliance Determination**

- Exceeds Standard** (*Substantially exceeds requirement of standards*)
- Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- Does Not Meet Standard** (*Requires Corrective Action*)

#### **Instructions for Overall Compliance Determination Narrative**

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

All prior agency final audit reports are posted on the agency's website.

## 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.

### Auditor Instructions:

Type your full name in the text box below for Auditor Signature. This will function as your official electronic signature. Auditors must deliver their final report to the PREA Resource Center as a searchable PDF format to ensure accessibility to people with disabilities. Save this report document into a PDF format prior to submission.<sup>1</sup> Auditors are not permitted to submit audit reports that have been scanned.<sup>2</sup> See the PREA Auditor Handbook for a full discussion of audit report formatting requirements.

Kurt Pfisterer/s/

October 9, 2018

**Auditor Signature**

**Date**

<sup>1</sup> See additional instructions here: <https://support.office.com/en-us/article/Save-or-convert-to-PDF-d85416c5-7d77-4fd6-a216-6f4bf7c7c110>.

<sup>2</sup> See *PREA Auditor Handbook*, Version 1.0, August 2017; Pages 68-69.