

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS



**[Following information to be populated automatically from pre-audit questionnaire]**

<b>Name of facility:</b>		United States Penitentiary Canaan	
<b>Physical address:</b>		3057 Easton Turnpike Waymart, Pennsylvania 18472	
<b>Date report submitted:</b>		1/24/2015	
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<b>Date of facility visit:</b>		January 12-14, 2015	
<b>Facility Information</b>			
<b>Facility mailing address:</b> <i>(if different from above)</i>			
<b>Telephone number:</b>		570-488-8000	
<b>The facility is:</b>	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input checked="" type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
<b>Facility Type:</b>	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
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<b>Email address:</b> CAA/PREA Compliance Manager		<b>Telephone number:</b>	570-488-8000
<b>Agency Information</b>			
<b>Name of agency:</b>		Federal Bureau of Prisons	
<b>Governing authority or parent agency:</b> <i>(if applicable)</i>		U.S. Department of Justice	
<b>Physical address:</b>		320 First St., NW, Washington, DC 20534	

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## AUDIT FINDINGS

### NARRATIVE:

The on-site visit to conduct a Prison Rape Elimination Act (PREA) compliance audit of the United States Penitentiary Canaan was conducted January 12-14, 2015. The Institution consists of a 160 bed satellite prison camp for minimum-security offenders, and a 1,340 bed High-security facility (USP). USP Canaan is a 170,000-square-yard facility that opened in March 2005 and is designed to house male inmates in six housing units. [REDACTED]

[REDACTED] Cells are approximately 4 × 2 m (13 × 7 feet) in size equipped with a bunk bed, a stainless steel sink-toilet combination and a small table with a non-removable stool. Cells are usually occupied by two inmates and are air conditioned. The administrative and disciplinary unit, called the Special Housing Unit, can hold approximately 250 inmates. Cells in the disciplinary unit have showers and are occupied by two inmates. The population count of the USP and camp during the audit was 1526.

The standards used for this audit became effective August 20, 2012. The auditor was advised that the Director of the Federal Bureau of Prisons (BOP) ordered all facilities to implement the provisions of the PREA well over one year ago. The auditor discussed the data contained in the Pre-Audit Questionnaire with the PREA Compliance Manager prior to the on-site visit. The National PREA Coordinator for the BOP and Agency Contract Administrator were interviewed telephonically, as was a designee of the Director of the BOP. As part of the audit, a review of all PREA Policy, and a tour of both facilities was completed. Eighteen (18) inmates were interviewed (of the 18, one was Transsexual, 2 were disabled, 3 were victims of sexual abuse discovered during intake screening, one was bi-sexual, and one was housed at the camp-all were randomly selected)

Fifteen (15) Correctional officers-15 interviewed (3 were female), including one Lieutenant, one SHU officer, and one Camp officer.

Fifteen correctional officers were interviewed (from three 8 hour shifts and different prisons), three (3) of these officers were female, twelve (12) were male. Interviews were conducted on 3 shifts. A member of the Evidence Recovery Team was also interviewed. Sixteen (16) administrative staff were interviewed, which included the Institution Warden, an Associate Warden/PREA Compliance Manager, another Associate Warden, the Captain, the Chief Psychologist, another Psychologist, the Human Resources Specialist, the Acting Health Services Administrator, a Case manager, a Unit Manager, a Counselor, The Special Investigative Supervisor, an Evidence Recovery Team member, The Special House Unit Lieutenant, and several shift supervisors. One volunteer was also interviewed.

When the auditor first arrived at the facility, an "in-briefing" meeting was held with the Institution Warden, the PREA Compliance Manager, the Low and Medium Associate Wardens, the Camp Administrator; several support staff, and several representatives from the Program Review Division of the Bureau of Prisons, to explain the audit process.

## **DESCRIPTION OF FACILITY CHARACTERISTICS:**

The mission statement of the Federal Bureau of Prisons is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens. The mission of the United States Penitentiary-Canaan is to provide a safe, secure, and humane environment for inmates and staff. Opportunities for self-improvement including work, education, vocational training, and religious and counseling programs are provided. These programs are designed to assist inmates during confinement as well as after release, and to facilitate the orderly operation of the institution.

All inmates are provided work assignments or are assigned to Education. Work assignments include Food Service (cooks, bakers, butchers, vegetable preps, orderlies-janitors, dishwasher operators, and clerks), Mechanical Services (electricians, plumbers, mechanics, welders, painters, carpenters, laborers, and clerks), Health Services (orderlies), Education/Recreation (librarians, clerks, tutors, and orderlies), Laundry (clerks and clothing dispensers), and unit orderlies.

USP Canaan inmates are involved in pro-social activities, including programs for self-improvement and release preparation: Leisure and recreation programs are supervised by the Recreation Department. Designed around a wellness concept, these include indoor and outdoor activities from arts and crafts, to intramural team sports, music, weight reduction, and others. The Education Department provides a Parenting Program, Electronic Law Library, and a wide variety of reading material: newspapers, magazines; books including fiction, non-fiction, biographies, reference materials, science, and history. The Religious Services Department provides inmates of all faiths with reasonable opportunity to pursue their individual belief. Chaplains are available to provide pastoral care, counseling, religious education, and instruction. Volunteers from the nearby communities supplement these staff. There is a common fare diet program and other accommodations for various religious meals and gatherings. Psychology Department priority services include initial assessments, treatment of major mental disorders, crisis interventions, and suicide prevention. The receipt of self-help, direct support, drug abuse, and lifestyle change programs are offered on a non-residential basis. Additionally, two therapeutic communities exist, each comprising 100+ inmates. One is a Residential Drug Abuse Program, and the other is the "Challenge" Program. Both facilitate institutional adjustment and release preparation through the elimination of drug abuse and thinking errors. The Challenge Program also addresses further mental challenges. Members of Unit Management are professional staff, many of whom are trained in various social sciences, and are also available as resources. They provide informal counseling, and also Release Preparation Programming, in the form of numerous classes offered each quarter. Finally, the Inmate Performance Pay Program maintains both skilled and unskilled job positions. It helps inmates gain basic

and advanced job and social skills, by paying them to work in Facilities, Food Service, and other support environments throughout the institution.

The auditor concluded, through interviews and the examination of policy and documentation, that all staff was very knowledgeable concerning their responsibilities involving PREA. During the interviews, the inmates stated that staff were respectful and that they felt safe at the facility. Staff were able to describe in detail their specific duties and responsibilities, including being a "first responder", if an allegation of sexual abuse/harassment were made.

## **SUMMARY OF AUDIT FINDINGS:**

When the on-site audit was completed, a "out-brief" meeting was held with the same staff attending the "in-brief". No final rating was given at that time; however, the overall audit process was discussed. The auditor had been provided extensive and lengthy files of documentation prior to the audit, in an effort to support a conclusion of compliance with the PREA. During the course of the on-site visit, staff were found to be courteous, cooperative, and professional. All areas of the facilities toured were observed to be clean and well maintained. At the conclusion of the audit the auditor thanked the USP-Canaan staff for their hard work and commitment to the Prison Rape Elimination Act.

Number of standards exceeded: 2

Number of standards met: 38

Number of standards not met: 0

Not Applicable: 1

### **§115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator**

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

The agency and the facility exceed the standard with policies and practice. National policy or Program Statement (PS) 3420.11 and local policy FCC 2570.09 clearly exceed this standard. The facility PREA Plan exceeds zero tolerance as required by the standard. In addition to the facility PREA Compliance Manager, there is a designated National PREA Coordinator and a PREA Compliance manager assigned to each regional office in the agency to ensure adherence to the PREA.

### **§115.12 - Contracting with other entities for the confinement of inmates**

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

The agency complies with this standard. This was confirmed by a review of documentation submitted requiring other entities contracted with for the confinement of inmates to comply with the PREA. The Agency Contract Administrator was interviewed by phone concerning this standard.

### **§115.13 – Supervision and Monitoring**

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

PS 3000.03 addresses this standard. Policy requires each facility within the agency to review their respective staffing plans on an annual basis. Compliance with the PREA and other safety and security issues are always of primary focus when considering and reviewing staffing plans according to the Institution Warden. USP-Canaan has been provided all necessary resources to support the programs and procedures to ensure compliance with the PREA. The audit included an examination of all video monitoring systems, inmate access to

phones, inmate access to an email system, staff interviews, a review of documentation, and a review of all staffing rosters. Documentation of unannounced rounds that cover all shifts was reviewed. These rounds are conducted by administrative staff on a weekly basis, and they are able to enter the units with no warning to staff. Interviews with inmates and line staff confirmed that weekly visits are conducted by administrative staff to all areas of the institution. Some facilities within the institution use video cameras in the living units, hallway, program areas, work areas, and entrance/exit areas. [REDACTED]

[REDACTED] The auditor found no “blind” spots or areas needing additional camera coverage.

### **§115.14 – Youthful Inmates**

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

Not Applicable – The USP-Canaan does not house youthful offenders.

### **§115.15 – Limits to Cross-Gender Viewing and Searches**

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

PS 5324.11 addresses this standard. Cross-gender strip or body cavity searches are prohibited, except during emergencies, but may be performed by medical staff (all are documented). Staff (female, as the institution is all male) have been trained to conduct cross-gender pat searches in a less-intrusive, respectful, and professional manner. All staff reported that they received cross-gender pat search training (including how to search transgender and intersex inmates) during institution familiarization training, at the BOP training academy, by watching a mandatory video, and during annual refresher training. Officers reported that inmates are always allowed to shower, dress, and use the toilet privately, without being viewed by female staff. Female staff stated they announce their presence verbally when entering all areas holding inmates, and this message is also made over the facility-wide intercom at the beginning of each shift. Written notices of female staff being present were found in the housing units. These announcements were observed by the auditor during the tour of all areas of the facilities. Staff were aware the policy prohibits the searching of a transgender or intersex inmate to determine their genital status. The interviewed inmates confirmed they were afforded significant privacy when using the toilet, changing clothes, or when showering,

and that announcements were made when female staff entered the housing units or any area holding inmates. PREA notifications (English and Spanish) are posted in each housing unit of each facility within the institution, the intake units, inmate work areas, and in all inmate program areas.

### **§115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient**

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

PS 5324.11 addresses the requirements of this standard. The USP-Canaan takes appropriate steps to ensure inmates with disabilities and inmates with limited English proficiency have an opportunity to participate in and benefit from the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. PREA handouts, postings and inmate handbooks (all reviewed by auditor) are in English and Spanish. Staff interviewed were aware that under no circumstance are inmate interpreters or assistants to be used in dealing with any PREA related matter. Inmate interviews also confirmed compliance to this standard.

### **§115.17 – Hiring and Promotion Decisions**

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

PS 3000.03, PS300-03 and 3420.11 requires compliance to this standard. The Human Resources Manager was interviewed, and stated that all components of this standard have been met. All employees, contractors, and volunteers have had their criminal background check completed. BOP Regional Office staff conduct background checks before approving a promotion. Policy does state that material omissions or false information submitted by applicants shall be grounds for termination. The agency cannot hire anyone with any background of sexual harassment or abuse. A tracking system is in place to ensure that updated background checks are conducted every five years. Documentation supporting compliance to this standard was reviewed by the auditor.



## **§115.22 – Policies to Ensure Referrals of Allegations for Investigations**

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

PS 5324.11 addresses this standard. Administrative or criminal investigations would be completed on all allegations of sexual abuse and sexual harassment. A Special Investigative Lieutenant (SIS) was interviewed and found to be very knowledgeable concerning his responsibilities under the PREA. The facility SIS unit completes all administrative investigations. If, during the course of an investigation, evidence surfaces indicating criminal misconduct, the investigation would be referred to the FBI. There were nine (9) allegations of sexual abuse or harassment during the last year. All allegations were determined to be unsubstantiated through the investigative/review process (files reviewed by auditor).

## **§115.31 – Employee Training**

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

PS5324.11 addresses all training required by this standard. The BOP provides extensive PREA standards training at the Federal Law Enforcement Training Center (FLETC), which all staff must attend and successfully complete. Contractors and volunteers are provided training relative to their PREA responsibilities. Much of this training was provided through an on-line course on PREA provided by the BOP. Annual Refresher Training (ART) with PREA as a topic is also provided to all employees. Staff acknowledge in writing their understanding of the PREA. All staff were issued and carry an embossed reference card detailing their duties and responsibilities related to the PREA. Staff training files were reviewed and contained documentation supporting compliance to this standard. All staff interviewed indicated that they received the required PREA training.

### **§115.32– Volunteer and Contractor Training**

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

PS 5324.11 covers this standard. All contractors and volunteers have received training related to their responsibilities concerning the PREA (zero-tolerance, detection, prevention, response, and reporting requirements). All training is documented. Interviews with contractors and volunteers, and an examination of training files, confirm compliance to this standard.

### **§115.33 – Inmate Education**

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

PS 5324.11 addresses the requirements of this standard. Inmates receive information at the time of intake verbally, in a PREA pamphlet, and there is information provided in the inmate handbook (provided to inmates at the time of intake in English/Spanish). Housing unit meetings between inmates and staff allowing ample opportunity for inmates to ask questions were held with the entire inmate population to discuss PREA. Provisions are in place to meet the needs of all disabled inmates. There are posters throughout the facility, and the “hotline” phone number to call to report abuse or harassment is in each housing unit. Inmates sign an acknowledgement of having received this information at the time of intake. Staff and inmate interviews and a review of documentation, support compliance to this standard.

### **§115.34 – Specialized Training: Investigations**

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

PS 5324.11 addresses this standard. The SIS unit staff and the criminal investigator have received specialized training relevant to PREA. The investigators were interviewed and explained to the auditor in detail the steps to be taken during a PREA-related investigation. The training records reviewed confirmed completion of the required instruction.

### **§115.35 – Specialized training: Medical and mental health care**

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

The PREA training lesson plan addresses this standard. All mental health and medical staff have received specialized training on victim identification, interviewing, reporting, and required clinical interventions. Annual refresher training is provided, and all training is documented. Training records were reviewed.

### **§115.41 – Screening for Risk of Victimization and Abusiveness**

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

PS 5324.11 addresses the requirements of this standard. All inmates are immediately assessed at intake for their risk of being sexually abused by other inmates or being sexually abusive towards other inmates. A Case Manager or Counselor screens all new arrivals within their first 72 hours (usually within one hour of arrival) following arrival. There has been two inmates identified within the last year meeting this criterion (victims of abuse). At the time of arrival, staff also conduct the screening by reviewing records or other information from another facility or other source which may be relevant to compliance with this standard. Inmates identified as high risk for sexual victimization or at risk of sexually abusing other inmates would be referred to a mental health professional for further assessment. Careful housing assignment (placement in a housing unit with additional supervision) or other appropriate action would then be considered to address the inmate's needs. Any information received after intake is immediately considered, and may result in a change in housing or other necessary action. Status reassessments, by policy, will occur within 30 days of arrival. Staff and inmate interviews, a review of documentation, and observations of the intake process confirmed this information.

## **§115.42 – Use of Screening Information**

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

PS 5324.11 addresses compliance with this standard. Policy requires the use of a screening form (examined by auditor) to determine housing, bed, work, education, and program assignments with the goal of keeping inmates at high risk of being sexually victimized separate from those who are at a high risk of being sexually abusive. Housing and program assignments are made on a case by case basis for all inmates. There is in place a procedure for providing continued re-assessment and follow-up monitoring if needed. Staff interviews confirm compliance to this standard.

## **§115.43 – Protective Custody**

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

PS 5324.11 addresses this standard. The USP Special Housing Unit (SHU) is a separate unit within the High-Security facility. Policy states inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing (SHU) unless an assessment of all available alternatives has been made, and a determination has been made that there is no available means of separation from likely abusers. Policy states inmates placed in this status shall be reviewed every 7 days. There have been no inmates placed in this status within the previous year.

## **§115.51 – Inmate Reporting**

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

PS5324.11, PS3420.11, the PREA pamphlet, and the inmate handbook address this standard. A review of documentation indicated that there are multiple ways (including verbally, in writing, privately, from a third party, and anonymously) for inmates to report sexual abuse or harassment. The correctional officers interviewed stated staff and inmates may privately report any abuse, harassment, or neglect (which would contribute to abuse) verbally, in writing, anonymously or to a third party. Inmates interviewed also were aware of multiple reporting methods. Staff will immediately document any allegation. Posters and other

documents on display throughout the institution (observed by auditor) also explain the reporting procedures.

### **§115.52 – Exhaustion of Administrative Remedies**

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

PS 1330.18 address this standard. Inmates may file a grievance; however, all allegations of abuse or harassment, when received by staff, would immediately result in the opening of a formal investigation (criminal or administrative). This process would not involve staff who may be the subject of the complaint. There have been no grievances involving PREA related issues filed during the previous year.

### **§115.53 – Inmate Access to Outside Confidential Support Services**

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

PS 5324.11 addresses this standard. The facility has entered into an agreement with the local rape crisis center to provide all services relevant to this standard. The facility recently completed a training exercise with the local rape crisis center to test procedures and to improve the service provision process.

### **§115.54 – Third-Party Reporting**

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

The BOP pamphlet entitled “Sexually Abusive Behavior Prevention and Intervention” addresses the requirements of this standard. Third-parties are informed of reporting procedures on the BOP website and on posters in the Visiting Room. The pamphlet and website were examined by the auditor. Staff and inmate interviews confirm compliance to this standard.

### **§115.61 – Staff and Agency Reporting Duties**

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

PS 5324.11 addresses this standard. Staff interviewed were aware that they must immediately report allegations of abuse, harassment, retaliation, or neglect (which would cause a violation of the PREA) relevant to the PREA. Compliance with all aspects of the standard was verified through a review of the policy and staff interviews.

### **§115.62 – Agency Protection Duties**

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

PS 5324.11 addresses this standard. The officers interviewed stated their duties and responsibilities if they became aware of an inmate being in imminent risk for abuse (first-responder or otherwise), and that certain immediate, mandatory actions to protect the inmate would take effect. Officers produced a card during the interview, issued by the facility, outlining all actions to be taken by a correctional officer who became aware of sexual abuse or harassment.

### **§115.63 – Reporting to Other Confinement Facilities**

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

PS 5324.11 addresses this standard. Policy requires the reporting any PREA related allegation by an inmate that occurred at another facility to the Warden of the facility where the incident is alleged to have occurred, by the Warden of the facility in which the inmate is currently housed. The notification is to occur as soon as possible, but always within 72 hours of receiving the allegation. Policy also requires that an investigation be initiated. There have been no allegations of sexual abuse or harassment that may have occurred at the USP-Canaan reported from another facility.

### **§115.64 – Staff First Responder Duties**

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

PS 5324.11 addresses this standard. All staff interviewed were very knowledgeable concerning their first responder duties and responsibilities upon learning of an allegation that an inmate had been the victim of sexual abuse. The correctional officers interviewed quoted specific actions (such as protection of the victim and preservation of evidence) to be taken, in compliance with PREA. All staff, including the Institution Warden, were carrying an embossed card as reference to direct them as to their responsibilities as a first responder to an allegation of a PREA incident. There have been nine (9) incidents within the previous year requiring first responder actions. All incidents were responded to correctly.

### **§115.65 – Coordinated Response**

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

PS 5324.11 and the USP Canaan Emergency Plan fully describes procedures for all staff to comply with this standard. This documentation was reviewed by the auditor.

### **§115.66 – Preservation of ability to protect inmates from contact with abusers**

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

The USP-Canaan collective bargaining agreement complies with this standard. The agreement was examined by the auditor.

### **§115.67 – Agency protection against retaliation**

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

PS 5324.11 addresses this standard. The policy specifically prohibits any type of retaliation to any staff member or inmate who has reported sexual abuse or sexual harassment, or who has cooperated with such investigations. The PREA Compliance Manager (interviewed by auditor) is the designated staff member to monitor all possibilities of retaliation and at a minimum would conduct checks (documented) with an inmate who may have been victimized or reported victimization at least every 30 days for at least 90 days following an allegation. These checks may occur more frequently if indicated. This follow-up may also extend without limit if necessary. There have been no cases of retaliation discovered or reported within the previous year. Staff explained the monitoring process, and a log established to document retaliation was inspected.

### **§115.68 – Post-Allegation Protective Custody**

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

PS 5324.11 addresses compliance with this standard. Interviews with staff and an examination of the facility indicated that there is a viable alternative to placement in involuntary segregated housing (SHU). There have been no inmates placed in this status (post-allegation protective custody) within the previous year.

### **§115.71 – Criminal and Administrative Agency Investigations**

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

PS 5324.11 addresses this standard. The SIS unit conducts administrative investigations within the facility. If an allegation appears to be criminal in nature, the SIS Supervisor will refer the incident to the FBI for a criminal investigation. The FBI investigator consults with the Assistant U. S. Attorney to determine if prosecution is to be pursued. If the FBI substantiates the allegation, the case is to be referred to the United States Attorney for prosecution. There were no criminal investigations within the last year. The SIS investigators were interviewed concerning this standard. Nine (9) investigations (unsubstantiated) were examined.

### **§115.72 – Evidentiary Standard for Administrative Investigations**

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

PS 5324.11 addresses this standard. The evidence standard is a "preponderance of the evidence" in determining whether allegations of sexual abuse or sexual harassment are substantiated.

### **§115.73 – Reporting to Inmate**

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

PS 5324.11 addresses this standard. There have been nine (9) administrative investigations completed during the previous year, resulting in the required notification per this standard. The inmates were notified of the results of those investigations in writing (reviewed by the auditor). This documentation confirms compliance to this standard.

### **§115.76 – Disciplinary sanctions for staff**

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

PS 3420.11 addresses this standard. During the previous year, no staff member was disciplined in any manner nor has any resigned for violating agency sexual abuse or sexual harassment policies.

### **§115.77 – Corrective action for contractors and volunteers**

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

PS 3420.11 addresses this standard. During the previous year there have not been any incidents where a contractor or volunteer was accused or found guilty of sexual abuse or sexual harassment at USP-Canaan.

### **§115.78 – Disciplinary sanctions for inmates**

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

PS 5324.11 addresses this standard. USP-Canaan has not issued any disciplinary sanctions to inmates as a result of sexual conduct with other inmates or staff. There have not been any cases of inmates engaging in sex with staff in the past 12 months, nor have there been any substantiated cases of inmates engaging in sex with other inmates. Consensual sex of any nature is prohibited. Inmates that sexually abuse or harass staff will be disciplined (not consensual). The BOP does not discipline inmates who make an allegation in good faith, even if an investigation does not establish evidence sufficient to substantiate the allegation. Interviews with the SIS investigators confirm compliance to this standard.

### **§115.81 – Medical and mental health screenings; history of sexual abuse**

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

PS 5324.11 addresses this standard. Through interviews with medical and specialized staff, the facility has a thorough system for collecting medical and mental health information and has the capacity to provide continued re-assessment and follow-up services if needed. There have been no inmates admitted to the facility claiming sexual victimization (at another facility) within the previous year. There have been no inmates admitted who claim to be sexual abusers. If a case occurred at the facility, staff would process confidential information in full compliance with this standard. Interviews with staff confirm compliance to this standard.

### **§115.82 – Access to emergency medical and mental health services**

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

PS 5324.11 addresses this standard. USP-Canaan has had two inmates in need of access to emergency medical or mental health treatment relevant to the PREA within the previous year. If a need occurred, the facility would comply with all actions required by this standard (free treatment, documentation of services, information about sexually transmitted disease, confidentially). Staff interviews and a review of the investigations confirmed this information.

### **§115.83 – Ongoing medical and mental health care for sexual abuse victims and abusers**

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

PS 5324.11 addresses this standard. USP-Canaan is a male-only facility, treatment and information would be provided for male inmates if needed. There have been zero cases of this nature in the previous year, requiring on-going treatment. This information was confirmed through interviews with staff.

### **§115.86 – Sexual abuse incident reviews**

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

PS 5324.11 covers this standard. Staff interviews confirmed that at the conclusion of an investigation of sexual abuse there would be a review by the institution Executive Staff of all allegations other than those found to be unfounded, as required by this standard. Reviews were conducted on all nine (9) unsubstantiated incidents during the previous year. All nine (9) documented reviews were examined.

### **§115.87 – Data Collection**

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

PS 5324.11 addresses this standard. USP-Canaan will collect accurate uniform data for every allegation of sexual abuse by using a standardized instrument. The report would allow the facility to submit the annual Department of Justice (DOJ) Survey of Sexual Violence in a timely fashion, prepare an annual PREA report, monitor trends, and take corrective action when indicated. There have been no incidents to report during the previous year, and no corrective action recommended.

### **§115.88 – Data Review for Corrective Action**

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

The BOP reviews the data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and to identify problem areas and take corrective action when indicated. The Institution PREA Compliance Manager ensures the data collected on sexual abuse for inmate-on-inmate cases is forwarded to his/her respective Regional PREA Coordinator annually. The National PREA Coordinator ensures the information is provided to facilitate mandatory agency reporting. An annual report is prepared and published on the BOP website.

### **§§115.89 – Data Storage, Publication, and Destruction**

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

PS 5324.11 addresses this standard. The National PREA Coordinator reviews data compiled by the Regional PREA Coordinators, from the Information, Policy, and Public Affairs Division of the BOP, from the Office of Internal Affairs (BOP), and issues a report to the Director on an annual basis. The data is securely retained, and that which is disc losable is published on the BOP website. The required reports cover all data noted in this standard, and is retained in a file.

**AUDITOR CERTIFICATION:**

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.



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Auditors Signature

01/24/2015

Date