

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS



<b>Name of facility:</b>		Federal Bureau of Prisons FPC Montgomery	
<b>Physical address:</b>		1001 Willow Street Montgomery, AL 36112	
<b>Date report submitted:</b>		April 25, 2014	
<b>Auditor Information</b>		<b>Amy Fairbanks</b>	
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<b>Date of facility visit:</b>		December 17-19, 2013	
<b>Facility Information</b>			
<b>Facility mailing address: (if different from above)</b>		Maxwell Air Force Base, Montgomery, AL 36112	
<b>Telephone number:</b>		334-293-2100	
<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	
<b>Name of PREA Compliance Manager:</b>		<b>Title:</b>	Asst Warden
Martha Underwood			
<b>Email address:</b> <a href="mailto:munderwood@bop.gov">munderwood@bop.gov</a>		<b>Telephone number:</b>	334-293-2100
<b>Agency Information</b>			
<b>Name of agency:</b>		FPC Montgomery	
<b>Governing authority or parent agency: (if applicable)</b>		U.S. Department of Justice	
<b>Physical address:</b>		320 First St. NW Washington, DC 20534	
<b>Mailing address: (if different from above)</b>			
<b>Telephone number:</b>		202-307-3198	
<b>Agency Chief Executive Officer</b>			
<b>Name:</b>	Charles E Samuels	<b>Title:</b>	Director
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<b>Agency-Wide PREA Coordinator</b>			
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# AUDIT FINDINGS

## **NARRATIVE:**

On December 17-19, 2013 an audit was conducted at the Federal Prison Camp – Montgomery to determine compliance with the Prison Rape Elimination Act standards finalized August 2012.

A complete tour of the facility was conducted on December 17, 2013 from 10:00am until 3:00pm and included the following areas: inmate living areas, medical operations, chapel area, operations center, admission & discharge, business office, mail room, phone room, education, food service, facility maintenance operations, records, and UNICOR laundry operations (located on the air force base).

Documents reviewed during this audit included random sampling of staff training records, personnel files, volunteer training records, sexual harassment complaints, and inmate central files. Formal interviews were conducted with the following: warden, PREA compliance manager (facility), PREA coordinator (facility) one medical staff, one contract staff (medical), human resource manager, twelve corrections officers, two supervisors, the facility investigator, staff who conduct intake and screen inmates, 10 random inmates, one inmate deemed vulnerable at intake, one inmate who file a sexual harassment complaint, one inmate with hearing disability, and two inmates with limited English. Informally, an additional twelve inmates and 15 staff were interviewed during the audit spontaneously. The agency head and the agency PREA coordinator were not interviewed as they participated in an interview at a previous Bureau of Prisons PREA audit.

## **DESCRIPTION OF FACILITY CHARACTERISTICS:**

The Montgomery Federal Prison Camp is an extension of the Maxwell Air Force Base in the city of Montgomery, Alabama. It is considered to be the oldest minimum security camp within the Bureau being in operation since 1930. The facility is located on 45 acres and consists of 30 well maintained buildings. Three of these buildings comprise dormitory style double bunk living areas. Two of the dormitories house 330 inmates each while the third one houses 215 inmates. The smaller unit represents the inmates participating in the Residential Drug Abuse Treatment Unit (RDAP). Other buildings actively used by the inmate population include the following: Administration Building, Training Center, Visiting Room, Clinic/Core Services, Education, Food Services, Chapel, Phone Room, Operations center, Mail Room, Receiving, Discharge, and Records.

The facility houses male inmates that meet the security requirements established by the Bureau of Prisons for minimum custody with additional criteria as agreed upon with the Maxwell Air Force Base. As a by-product of this additional criteria, there were no inmates who met the criteria as an abuser or potential abuser at this facility at the time of the audit.

## SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded: 1

Number of standards met: 41

Number of standards not met: 0

Number of standards not applicable: 1

<b>Standard number here</b> 115.11
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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)

### **Auditor comments, including corrective actions needed if does not meet standard**

<b>Standard number here</b> 115.12
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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)

### **Auditor comments, including corrective actions needed if does not meet standard**

Federal Bureau of Prisons was proactive and renewed all existing contracts to include PREA requirements and policy. Contract monitoring is in the contract to be done through on site visits and PREA documentation/audits. No audit to date as the audit window has just opened up on 20 August 2013.

<b>Standard number here</b> 115.13
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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)

### **Auditor comments, including corrective actions needed if does not meet standard**

Filling vacant positions was a high priority and active efforts demonstrated. In the BOP, all staff (except contractual) are considered law enforcement and receive the same training as corrections officers.

**Standard number here** 115.14

- 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)

**N/A no youthful offenders**

**Standard number here** 115.15

- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

No cross gender searches strip searches or cavity searches have been conducted. Inmate and staff interviews supported that females are announced when present in the unit. All inmates reported they are able to perform bodily functions and dress without a female staff viewing. All staff were trained in how to conduct cross-gender pad down searches and transgender/intersex inmates. There were no transgender or intersex inmates housed at this facility during the time of the audit.

**Standard number here** 115.16

- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

Staff translators are on site and Language lines services are available. Staff and inmate interviews all supported that inmates would not be relied on as translators.

**Standard number here** 115.17

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

**Auditor comments, including corrective actions needed if does not meet standard**

**Standard number here** 115.18

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

**Auditor comments, including corrective actions needed if does not meet standard**

Upgrades to two yard cameras are schedule based on the findings of the facility's review of camera security enhancements. No renovations, modifications or expansions have occurred in the past year.

**Standard number here** 115.21

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

**Auditor comments, including corrective actions needed if does not meet standard**

115.21 (d) & (e ) Substantial efforts are being made to find outside counseling. All inmates interviewed were comfortable with the psychological staff assistance available at the facility.115.21 (f) BOP has requested the FBI and/or OIG follow the requirements of paragraphs 115.21 a through e.

**Standard number here** 115.22

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

**Auditor comments, including corrective actions needed if does not meet standard**

Only harassment complaints have been made at this facility since PREA went into effect, no abuse allegations.

**Standard number here** 115.31

- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

115.31 (d) Agency does document through staff signature that they understand the training received. In the interviews conducted it is apparent they have received the required training as they were able to articulate the content of the training.

**Standard number here** 115.32

- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on interviews and review of training records, volunteers and contract staff have been trained/ Volunteers do sign that they understood the training.

**Standard number here** 115.33

- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

Interviews with inmates revealed that substantial efforts have been made to ensure all inmates have received the training.

**Standard number here** 115.34

- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

At the time of the audit, the facility has not had any incidents warranting an FBI or OIG investigation relevant to a complaint of sexual abuse.

<b>Standard number here</b> 115.35
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- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

All forensic exams would be performed at an outside hospital.

<b>Standard number here</b> 115.41
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- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

Confirmed by documentation and interviews.

<b>Standard number here</b> 115.42
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- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

There were no transgender or intersex inmates housed at FCP Montgomery.

**Standard number here** 115.43

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

**Auditor comments, including corrective actions needed if does not meet standard**

There is no segregation housing at this facility.

**Standard number here** 115.51

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

**Auditor comments, including corrective actions needed if does not meet standard**

Based on staff interviews and is addressed in PS5324.09.

**Standard number here** 115.52

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

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 1330.17 and 1330.13

**Standard number here** 115.53

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

**Auditor comments, including corrective actions needed if does not meet standard**

All inmates interviewed confirmed ability to contact an outside source. Significant efforts have been made to get a Memo of Understanding with a local advocacy group.

**Standard number here** 115.54

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

**Auditor comments, including corrective actions needed if does not meet standard**

Confirmed in inmate interviews.

**Standard number here** 115.61

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

**Auditor comments, including corrective actions needed if does not meet standard**

Addressed in PS 5324.09 and verified during interviews with staff.

**Standard number here** 115.62

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

**Auditor comments, including corrective actions needed if does not meet standard**

Addressed in PS 5324.09 and verified during interviews with staff. No incidents to date.

**No Standard number here** 115.63

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Per interview with PREA Manager, there have been no allegations of sexual abuse at another facility being reported to them.

**Standard number here** 115.64

Exceeds Standard (substantially exceeds requirement of standard)

X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Staff interviews confirmed that staffs are well-trained in these requirements.

**Standard number here** 115.65

Exceeds Standard (substantially exceeds requirement of standard)

X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09 and institutional supplement 5324.09B.

**Standard number here** 115.66

Exceeds Standard (substantially exceeds requirement of standard)

X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

Does Not Meet Standard (requires corrective action)

**Auditor comments, including corrective actions needed if does not meet standard**

It was reported that have been no new collective bargaining agreements since August 2012.

**Standard number here** 115.67

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)

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09. During interviews with investigating Lt. and PREA Manager, both are responsible for monitoring retaliation. The tracking system was reviewed for all five harassment complaints filed.

<b>Standard number here</b> 115.68
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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)

**Auditor comments, including corrective actions needed if does not meet standard**

FPC Montgomery does not have segregation housing.

<b>Standard number here</b> 115.71
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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)

**Auditor comments, including corrective actions needed if does not meet standard**

At the time of the audit, the facility has not had any incidents warranting an FBI or OIG investigation relevant to a complaint of sexual abuse.

<b>Standard number here</b> 115.72
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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)

**Auditor comments, including corrective actions needed if does not meet standard**

Based on interview with Investigator and 5324.09.

**Standard number here** 115.73

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

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09. There have been no allegations of abuse.

**Standard number here** 115.76

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

**Auditor comments, including corrective actions needed if does not meet standard**

No disciplinary action taken in the last year.

**Standard number here** 115.77

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

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09 as written in standards and PS 3420.09 states applicable to contractors and volunteers.

**Standard number here** 115.78

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

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09 as written in standards and PS 5270.09 – Inmate Disciplinary Program. Addressed “(g) An agency may, in its discretion, prohibit all sexual activity between inmates and may discipline inmates for such activity. An agency may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced; There is no “consensual” sexual activity permitted in BOP facilities between inmates or between staff and inmates. Inmate-on-inmate sexual activity will result in an incident report for violation of Code 205 - Engaging in Sexual Acts. Staff-on-inmate sexual activity will be subject to disciplinary action and/or criminal prosecution, as appropriate.” in PS5324.09

<b>Standard number here</b> 115.81
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- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09 and verified in inmate interview.

<b>Standard number here</b> 115.82
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- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09 as written in standards. Verified with staff interviews.

<b>Standard number here</b> 115.83
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- 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)

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09 and verified with interviews.

**Standard number here** 115.86

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

**Auditor comments, including corrective actions needed if does not meet standard**

Covered in PS 5324.09, no allegations of abuse have been made at this facility, only harassment.

**Standard number here** 115.87

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

**Auditor comments, including corrective actions needed if does not meet standard**

Survey of Sexual Violence, 2012 BOP reviewed.

**Standard number here** 115.88

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

**Auditor comments, including corrective actions needed if does not meet standard**

Survey of Sexual Violence, 2012 BOP reviewed. Supported by interview with facility PREA Coordinator and facility PREA Manager.

**Standard number here** 115.89

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

**Auditor comments, including corrective actions needed if does not meet standard**

Survey of Sexual Violence, 2012 BOP reviewed.

**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.

Amy Fairbanks \_\_\_\_\_  
Auditor Signature

April 25, 2014  
Date