

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS



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

Name of facility: Federal Correctional Institution Morgantown, West Virginia

Physical address: 446 GREENBAG ROAD, ROUTE 857
MORGANTOWN, WV 26501

Date report submitted:

Auditor Information **James Roland - The Nakamoto Group**

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Telephone number: 850.718.7173

Date of facility visit: March 30, 2015 to April 2, 2015

Facility Information

Facility mailing address: *(if different from above)* PO Box 1000 Greenbag Road, Morgantown, WV 26507

Telephone number: 304-296-4416

The facility is:	<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		

Facility Type:	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison
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Name of PREA Compliance Manager:	S. T. Figiel	Title: Associate Warden/PREA Compliance Manager
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Email address: sfigiel@bop.gov	Telephone number:	304-296-4416
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Agency Information

Name of agency: Federal Bureau of Prisons

Governing authority or parent agency: *(if applicable)* U.S. Department of Justice

Physical address:		320 First St., NW, Washington, DC 20534	
Mailing address: <i>(if different from above)</i>			
Telephone number:		202-307-3198	
Agency Chief Executive Officer			
Name:	Charles E. Samuels, Jr.	Title:	Director
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Agency-Wide PREA Coordinator			
Name:	Alix McLearn	Title:	National PREA Coordinator
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AUDIT FINDINGS

NARRATIVE:

The on-site visit to conduct a Prison Rape Elimination Act (PREA) compliance audit of the Federal Correctional Institution Morgantown was conducted March 31, 2015. The complex consists of a 1,305 bed minimum-security facility (FCI). Since its inception in 1968 as a facility for juvenile and youthful offenders, the institution has gone through a number of mission changes, including co-correctional, those sentenced under the Youth Corrections Act (YCA), and currently as an adult male facility. Inmates are 18 years of age and over and are sentenced under adult procedures. All inmates designated to FCI Morgantown are carefully pre-screened prior to arrival, to ensure they are appropriate for incarceration in a minimum security setting. Further screening occurs when the individual arrives at the institution and can be interviewed in person. From the day of arrival until the day of release, inmates are provided the opportunity to meet with staff and determine a variety of programming needs and participation. The population count of the FCC during the audit was 1117.

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 has been 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 the facilities was completed. Twenty inmates were interviewed. Of the inmates interviewed one self-disclosed that he was gay, two were of limited English speaking abilities, one self disclosed during the intake process that he was a victim of sexual victimization, and one who was a risk for sexual victimization and who reported sexual abuse while at the facility. A total of twenty (24) staff were interviewed. Six (6) correctional officers were interviewed from second and third shifts, a food service worker, seventeen (16) specialty staff, and one contractor. The administrative staff interviewed included the Warden, an Associate

Warden/PREA Compliance Manager, the Captain, the Chief Psychologist, the Human Resources Manager, the Health Services Administrator, two unit managers, one Counselor, one Investigative staff, One Special Investigative Lieutenant, Special Housing (SHU) Lieutenant, the officer in charge of intake screening, and several shift supervisors.

When the auditor first arrived at the facility, an "in-briefing" meeting was held with the Warden, the PREA Compliance Manager, the Captain, The Chief Psychologist; 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 Federal Correctional Institution Morgantown is to uphold the agency's mission and strive beyond the basic needs of those incarcerated. To provide programs and opportunities to ensure the improvement of the quality of life for both inmates and staff. To secure a positive environment by demonstrating commitment to our goals.

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.

Facility Description

Federal Correctional Institution (FCI) Morgantown is an all-male facility, located in north-central West Virginia, approximately 70 miles south of Pittsburgh, Pennsylvania; and 275 miles west of Washington, D.C. The institution property sits on 400 acres of land, with 22 buildings. The main compound is spread out over approximately 25 acres and is designed to incorporate the natural landscape. The Administration Building sits on the top of the hill overlooking the compound.

Housing

The institution is designed to hold approximately 1,305 inmates, housed in two (2) dormitory style units with an open barracks setting and five (5) cottage-style units, with two-man rooms. Two (2) of the cottage-style units are designated for the Residential Drug Abuse Program Unit. FCI Morgantown also includes a Special Housing Unit (SHU), which has the capacity to house up to 68 inmates.

The facility has a variety of programs available to inmates which include:

All areas of study include writing skills, social studies, literature, and mathematics. The West Virginia Department of Education issues a General Equivalency Diploma upon successfully passing the GED examination. Inmates are enrolled in Literacy classes based upon their ability level, which is determined by the TABE placement test. Inmates who possess limited proficiency in the English language are required to enroll in the English as a Second Language (ESL) program until they function at the equivalence of eighth grade competency skills. This is measured by a score of 225+ (Reading) and 215+ (Listening) or above on the Comprehensive Adult Student Assessment Test.

MARKETABLE VOCATIONAL TRAINING

The institution currently offers two (2) vocational training programs intended to assist inmates in developing marketable job skills: Welding and Microsoft Office Computer Applications.

The Welding vocational training program is comprised of a 600-hour block of instruction that covers blueprint reading, as well as basic and advanced arc welding. An additional 200 hours of advanced course work in welding, metal fabrication, plasma and air arc cutting, and oxyacetylene welding is offered.

The Microsoft Office vocational training program provides an overview of computer literacy and operating systems, followed by extensive practice utilizing word processing, spreadsheets, database management, and presentations. This program is completed within 300 hours.

APPRENTICESHIP TRAINING

The institution is registered with the U.S. Department of Labor to provide apprenticeship programs in a variety of trades, to include: baker, cook, carpenter, welder, computer technology, electrician, heating and air conditioning, landscape gardener, painter, and plumber. Programs vary in length from 4000 to 8000 hours (two to four years).

ADULT CONTINUING EDUCATION

The institution offers several courses under the Adult Continuing Education (ACE) program. Typing and Job Search classes are taught by institution staff. The typing class instructs students in basic keyboarding/typing, formatting, and word processing skills. Students are required to achieve a typing rate of 25 words per minute to successfully pass the course.

The job search class introduces students to various employment skills and techniques to enhance success in obtaining and maintaining employment upon release. The course covers a variety of topics: career exploration, resume writing, portfolio development, job market search, networking, and interview techniques. The job search class is offered twice yearly. The institution also holds a mock job fair biannually. This program entails actual employers visiting the institution to conduct mock interviews with inmates who have completed the job search class.

The mock interview increases the students' self-esteem by emphasizing their marketable skills. It gives students practice in handling employment interviews while receiving feedback and critical evaluation from the employers. Some students will receive what is perhaps their first realistic experience in applying for a job. Learning how to secure employment is the students' first step toward success in finding and maintaining a job upon release, thereby reducing recidivism. On average, we have 25 employers and outside agencies participating in each job fair.

Other ACE courses such as Spanish, Real Estate, Commercial Driver's License, etc., are taught by qualified inmates and are offered on a quarterly basis.

COLLEGE CORRESPONDENCE

A college correspondence program is available to qualified inmates who wish to pursue post-secondary education. Inmates pursue these courses through educational institutions that offer distance-learning courses via mail. Education staff members assist the inmate with receiving class materials. The Supervisor of Education proctors exams for these courses.

LIBRARY SERVICES

The library combines leisure library services with an electronic law library. Popular newspapers and magazines are available for leisure reading in both English and Spanish. Book selection includes a wide

variety of nonfiction, fiction, and reference materials. An interlibrary loan program is available through the Kanawha County Public Library.

The law library contains extensive information on federal legislative and case law, as well as Bureau of Prisons Program Statements and Institution Supplements. Typewriters are available in the law library for preparing legal material, as is a copy machine. The Electronic Law Library consists of 12 terminals, multiple typewriters, and one Go Print station

Leisure & Electronic Law Library Hours of Operation

7:30am – 3:45pm Monday thru Friday, and again after count until 8:45 PM

12:30am – 9:00pm Saturday/Sunday

PARENTING

The institution offers an 8 week parenting course to aid inmates in creating positive relationships with their children and families. The parenting class examines every aspect of child rearing, including understanding childhood behaviors, fostering self-esteem, communicating with children, and appropriate parental discipline.

REENTRY RESOURCE CENTER

The Education Department's Reentry Resource Center is available five days and one evening per week. This center offers a variety of resources related to an inmate's release: books, pamphlets, and videos on resume writing, interview skills, continuing education, and community resources. Inmates are able to type and print resumes and business plans in the Resource Center.

JOBVIEW KIOSK

Job view 2nd Chance is an ATM-like kiosk that allows people returning to the community from prisons and jails to search for statewide and nationwide jobs without direct access to the internet. Job view 2nd Chance kiosks are "prison-ready" because the user does not have access to a keyboard or to the internet. Job listings are accessed through a secure wireless connection from the kiosk to the Job view datacenter via a virtual private network. Jobs can only be searched on the kiosk using a touch screen user interface which controls and limits what the user can see and do. Job descriptions, along with job application requirements and instructions, can be printed directly from the kiosk to assist the user with later follow-up. The JOB view program is self-service and requires no user training. JOB view 2nd Chance provides access to nearly 2 million job listings. The listings are updated daily so users are always searching current jobs. A "disconnected" version of the kiosk is also available and job listings are updated through a JOB swap media device on a regular basis. A "software only" version of the JOB view 2nd program is available for facilities that already have a secure computing environment that is accessible by inmates.

VETERANS-TO-VETERANS SERVICE DOG TRAINING PROGRAM

In November 2013, the "Veterans-to-Veterans Service Dog Training Program" began at FCI Morgantown, WV. This program also marked the beginning of a partnership with Hearts of Gold and West Virginia University. Hearts of Gold is a canine service dog training program providing service dogs for individuals with mobility impairment and/or post-traumatic stress disorder (PTSD). Partnering with the School of Animal and Veterinary Sciences and Interdisciplinary Curriculum of West Virginia University, the program offers university courses in service dog training, is developing research activities, and provides many other services to the community.

The mission of the program at FCI Morgantown is to have inmate-veterans raise and train service dogs for placement specifically with U.S military veterans. Along with placing these dogs, this program seeks to provide skills and certifications to the inmate-veteran trainers within the BOP system.

Currently, in the veteran's wing of Bates Unit, FCI Morgantown houses fourteen (14) dogs living among nineteen (19) certified trainers. Aside from actively training the dogs, another crew of approximately ten (10) inmates are responsible for the dog maintenance portion of the program, i.e. cleaning kennels, maintaining play areas, washing bedding, preparing food bags, etc.

There are presently four (4) levels of dog training certification available for the inmate-veterans, through Hearts of Gold organization. Each certification requires a written exam, working evaluation and increasing difficulty of training experience (required hours of hands on training).

As of February 2015, the first phase of dogs is in their 15th month of training. This group includes seven (7) Golden Retrievers, one (1) Labradoodle, and one (1) Labrador mix. These dogs excel at approximately 80 commands, including tasks as basic as sit, stand, roll, and stay, and including more advanced commands such as untying shoe laces, throwing away garbage, and operating a washer & dryer to assist with laundry.

The beginner and intermediate levels include five (5) new puppies (3 Pyrenees/Labrador mixes, 1 Goldendoodle and 1 Antolian-Shepherd mix) are mastering potty training and responding to their name, as well as sitting, staying and shaking paws. By the end of their training, they will have mastered over 100 commands and be tailored to perform specific tasks to fit their new disabled handler's needs.

Many recreational activities (softball, hobby craft, basketball, leisure walking etc.) are also offered. Two Residential Drug Treatment Programs (RDAP). Completion of this program may result in a one year reduction of sentence.

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 was respectful and that they felt safe at the facility. Staff was 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 a small attendance of staff that attended 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 was 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 FCI Morgantown 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) 5324.11 and local policy FCC 5324.11 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 and a letter with answers to the discussion questions has been placed in the auditors files.

§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. FCI-Morgantown 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 complex. Some facilities within the facility use video cameras in the living units, hallway, program areas, work areas, and entrance/exit areas. Control Room staff can monitor these cameras (which all have recording capabilities), and they are monitored in the office of the Special Investigative Supervisor (SIS). 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 FCI-Morgantown 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 complex is all male) has 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 was 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 complex, 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 FCI-Morgantown 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 was 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 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.

§115.18 – Upgrades to Facilities and Technology

- 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 complex has a limited video and visual monitoring system in place in the FCI. This is based on their minimum security rating. There have been no updates since August 20, 2012.

§115.21 – Evidence Protocol and Forensic Medical Examinations

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

PS 5324.11 and PS 6031.04 address compliance with all aspects of this standard. Medical and custody staff was interviewed concerning this standard. Medical and correctional staff reported knowledge of the facilities' procedures to obtain usable physical evidence if sexual abuse is alleged. The facility has implemented a specially trained Evidence Recovery Team (ERT) to gather evidence in any PREA related incident. A member of the ERT was interviewed and described in detail the duties and responsibilities of ERT team members. The establishment and implementation of the Evidence Recovery Team, supporting procedures, and staff knowledge exceeds the requirements of the standard. Staff was aware that the Special Investigative Lieutenant or Special Investigative Agent conducts all abuse investigations. Specific actions and clinical decisions are required to determine if an inmate is to be transported to the local hospital to receive a SAFE exam. No SAFE exams were conducted within the last year. The facility has contracted with a local hospital to provide these services (the inmate will not be charged for any services related to PREA compliance). The facility is presently working with a Gratuitous Services Agreement (similar to a Memorandum of Understanding) with a local rape crisis center to provide services if necessary. The negotiation was taking place at the time of the audit review.

§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. Two Special Investigative Lieutenants (SIS) and an FBI special agent (the facility criminal investigator) were interviewed and found to be very knowledgeable concerning their 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 was one allegations of sexual abuse or harassment during the last year. This allegations was investigated using the proper protocols and has been forwarded to the regional office of the BOP for determination of the case. The files of the investigation were reviewed by the 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 was issued and carries 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 and/or reviews of documentation 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. All inmates take a self disclosure questionnaire check sheet at intake. 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 one inmate identified within the last year meeting this criterion (victims of abuse). At the time of arrival, staff also conducts 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 FCI Special Housing Unit (SHU) is a separate unit within the Minimum 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 has been one inmate placed in this status within the previous year. The auditor interviewed this inmate and he stated he was placed in the SHU at his request and did not want to be placed in any other area.

§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, 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 complex (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 and FCC 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 and FCC 5324.11 address this standard. The facility is presently into a negotiation with the local rape crisis center to provide all services relevant to this standard. The auditor reviewed all correspondence with Rape and Domestic Violence Center (RDVIC) in Morgantown and the Chief Psychologist for FCI Morgantown. RDVIC was favorable to enter into a MOU with FCI Morgantown when additional funding becomes available through a federal grant they have applied for.

§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 FCI-Morgantown 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 was 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 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 has been one incident within the previous year requiring first responder actions. All first responder protocol actions were reviewed by this auditor for compliance of this standard.

§115.65 – Coordinated Response

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

FCC 5324.11 and the FCI Emergency Plan fully describe 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 FCI-Morgantown 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 Captain (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 has been one inmate placed in this status (post-allegation protective custody) within the previous year. The auditor interviewed this inmate and he stated that it was his choice to be placed in protective custody in the SHU.

§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 FBI agent assigned to the facility and SIS investigators were interviewed concerning this standard. One investigation is presently being 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 has been one administrative investigation during the previous year, resulting in the required notification per this standard. The inmate is waiting notification of the results of these investigations in writing (reviewed by the auditor). At the time of this reviewed the incident had occurred approximately three weeks prior. The results of the investigation are pending.

§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 FCI-Morgantown.

§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. FCI-Morgantown 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 substantiated or unsubstantiated 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 and FCC 5324.11 address this standard. FCI-Morgantown has had no 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 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. FCI-Morgantown is a male-only facility, treatment and information would be provided for all inmates if needed. There have been no cases of this nature in the previous year. 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. However, since there have been no substantiated or unsubstantiated incidents during the previous year, there were no documented reviews to examine.

§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. FCI-Morgantown 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.

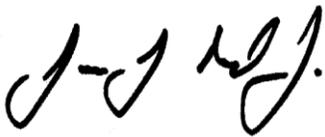
§§115.89 – Data Storage, Publication, and Destruction

- 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.



04/22/2015

Auditors Signature

Date