

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS



Name of facility:		Federal Correctional Complex, Tucson	
Physical address:		9300 South Wilmot Road Tucson, Arizona 85706	
Date report submitted:		May 16, 2014 Final Report	
Auditor Information Bruce L. Denny			
Address:		206 North Washington Street Suite, 200 Alexandria, Virginia 22314	
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Telephone number:		734-222-0000	
Date of facility visit:		December 10-12, 2013	
Facility Information			
Facility mailing address: <i>(if different from above)</i>			
Telephone number:		520-663-5000	
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	
Name of PREA Compliance Manager:			Associate Warden & PREA Coordinator
Robert Garcia		Title:	
Email address:		rgarcia@bop.gov	Telephone number: 520-574-7100
Agency Information			
Name of agency:		Federal Bureau of Prison	
Governing authority or parent agency: <i>(if applicable)</i>		United States Department of Justice	
Physical address:		320 First Street 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	Title: Director

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Agency-Wide PREA Coordinator			
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AUDIT FINDINGS

NARRATIVE:

The PREA audit of the Federal Correctional Complex, Tucson was conducted on December 10-12, 2013. During the three days the auditor toured the facilities and conduct all the required formal interview with staff and offenders. An entrance meeting was held with the following staff present:

Louis W. Winn, Jr., Complex Warden Robert O. Garcia, Jr., Associate Warden Felicia Ponce, Associate Warden John Stahley, Executive Assistant/Camp Admin. Darrin McWhorter, Deputy Captain Christi Hammock, FCI Warden’s Secretary Dawn Bassette, Camp Secretary James Snodgrass, Deputy Case Mgm. Coord. Sharon Bowers, Unit Manager Barbara Serrato, Unit Manager Bruce Denny, Chairperson, Corr. Consul. Debbie Bell, Member, Correctional Consultant	Becky Clay, Warden Abigail Harris, Associate Warden James Hayden, Chief Psychologist Lisa Jones, Complex Captain Maria Rodriguez, Unit Manager Melissa Krol, Associate Warden’s Secretary Stephen Pullen, Case Management Coordinator Marlan Bacon, Unit Manager Steven Hansen, Unit Manager Lora Molinar, Supervisory Correctional Systems Specialist Theresa Grenier, Member, CCS, Correctional Consultant
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DESCRIPTION OF FACILITY CHARACTERISTICS:

USP Tucson

The United States Penitentiary, located at 9300 South Wilmot Road, Tucson Arizona, has six housing units. Each unit consists of two adjacent areas, which we refer to as Units A-1, A-2, B-1, B-2 and so forth. The facility has 768 cells among the six housing units. Individual cells are equipped to house two offenders and include bunk beds, mattresses, chairs, mirror, sink, and toilet. There are community showers located on each floor. The Special Housing Unit has a bed space capacity of 240.

USP Tucson has dining and kitchen facilities, health services, maintenance shops, commissary services and an offender visiting area. There are also educational and vocational training opportunities, as well as recreational and psychology based programs and counseling services for offenders. The first offenders arrived at USP on Thursday, February 8, 2007, at approximately 3:50 p.m.

In 2010, USP Tucson implemented a Sex Offender Management Program (SOMP) which included the first pilot Challenge Program at a SOMP institution which allows for three tracks of treatment. In 2009, USP Tucson was designated a Care Level Three Mental Health institution. This important designation gives the USP the opportunity to provide assessment and treatment of the Bureau’s severely mentally and physically ill population.

FCI Tucson

The Federal Correctional Institution is located at 8901 South Wilmot Road in Tucson, Arizona on approximately 39 acres of land. A little more than 20 acres are enclosed within a double razor wire fence. There are four housing units for males and a small female housing unit separate from the males and a 48-bed Special Housing Unit.

The facility was constructed and completed in March of 1982 with an appropriation of just more than seven million dollars. The first offenders were committed to the institution on Friday, March 5, 1982. FCI Tucson was originally opened as a Metropolitan Correctional Center with a primary mission of providing holding space for United States Marshal prisoners, which are pre-trial and hold-over offenders pending designation to a correctional facility for service of their sentence. A small population of designated offenders was also housed at the facility to serve their sentence. The population at the time would fluctuate between 350-400 offenders.

The mission at FCI Tucson changed in 1985 to reflect a lesser U.S. marshal pre-trial population of approximately 200 offenders and a greater designated population of approximately 650 offenders. The change can be attributed to the need for bed space after congressional laws were passed and initiatives were created to adopt mandatory sentencing guidelines. Currently, FCI Tucson averages a U.S. Marshal contingent of approximately 275 male pre-trial offenders and approximately 25 females who are housed separately from males.

SPC Tucson

The all-male Satellite Prison Camp consists of 64 cubicles or 128 beds. The first offenders to be housed at the camp arrived on June 26, 2006. Offenders assigned to the Satellite camp work a variety of jobs to include food service, unit orderly, general maintenance, garage, outside landscape, food service, warehouse, and powerhouse. Educational/vocational programs include: Pre-GED, GED, Spanish GED, Adult Continuing Education classes, and a Release Preparation Program.

SUMMARY OF AUDIT FINDINGS:

The facility has implemented the PREA standards through the development of an executive staff team that meets regularly to continue to make improvements. The team reviewed the entire facility initially and continues to meet on a monthly basis. They review all reported and potential cases that may be at high risk of potential abuse and implement needed changes. The notices of the PREA audit were posted in all housing units as well as being placed on the computer TruLinks email system for the offenders. The auditor found the staff and offenders to be very aware of PREA. The staff was very knowledgeable about their responsibilities to ensure a safe facility. They were aware of reporting responsibilities, preservation of evidence, as well as dealing with victims of sexual assault and/or sexual harassment. The Medical and Mental Health staff does an excellent job providing additional educational training to all staff on how to identify signs of sexual assault/harassment and specialized staff on how to deal and treat victims of sexual assault and/or sexual harassment. In each case of an allegation, the SIS Lieutenant conducts extensive interviews with the alleged victim and the alleged perpetrator.

The results of the site visit completed at the Federal Correctional Complex, Tucson indicate compliance on the following number of standards:

Number of standards exceeded: 6

Number of standards met: 36

Number of standards not met: 0

Number of standards not applicable: 1

Standard number here **§115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator**

- 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)

Standard number here **§115.12 - Contracting with other entities for the confinement of inmates**

- 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)

The Agency has been proactive and has renewed all existing contracts to include PREA requirements and policy.

Standard number here **§115.13 – Supervision and Monitoring**

- 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)

Posted throughout the facility are announcements that male and female staff are assigned throughout the facility. Five time a day there are announcements over the public address system announcing this information throughout the facility. Announcements are made in Spanish and English. This auditor heard from many offenders that male and female staff were very respectful concerning privacy of the opposite gender.

Standard number here **§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)
- X This standard is not applicable as the complex does not house youthful offenders.

Standard number here **§115.15 – Limits to Cross-Gender Viewing and Searches**

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)

115.5 (b) does not go into effect until 2015.

Standard number here **§115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient**

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)

Standard number here **§115.17 – Hiring and Promotion Decisions**

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)

5324.11 Sexual Abusive Behavior Prevention and Intervention Program address this standard.

Standard number here **§115.18 – Upgrades to Facilities and Technology**

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)

Recently, new cameras and additional cameras have been installed. There is plan to add additional cameras.

Standard number here **§115.21 – Evidence Protocol and Forensic Medical Examinations**

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)

The facility does provide a qualified agency staff member if requested.

Standard number here **§115.22 – Policies to Ensure Referrals of Allegations for Investigations**

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)

5324.11 Sexual Abusive Behavior Prevention and Intervention Program address this standard.

Standard number here **§115.31 – Employee Training**

X 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)

Staff have been very well trained and are retrained annually as well as several times between annual training. All staff had an impressive knowledge at all levels.

Standard number here **§115.32– Volunteer and Contractor Training**

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)

Standard number here **§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)

Offenders are very well educated concerning PREA via a variety of medias. Perhaps the most innovative is a computer system that all offenders have access to; a program called TRUIMCS. The program gives offenders instant access to a wealth of information concerning PREA as well as information.

Standard number here **§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)

Standard number here **§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)

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

Dr. James Hayden, Chief Psychologist, provides training on victim identification, reporting, and intervention to all staff. Dr. Hayden is very committed to PREA and safety of all offenders. Dr. Hayden is a member of the PREA committee as well.

Standard number here **§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)

FCI has an impressive screening process that begins before the offender ever arrives at the facility. This screening process identifies transferring offenders who are not appropriate for placement at the facility and they are not allowed to be transferred to the facility. This process is multi-faceted and begins in the Psychological Department. Psychological Technician Patty Bermingham starts the screening process in the Psychological Department. This auditor interviewed her and was impressed with her knowledge and commitment to the process. There is a real team effort put forth by the PREA Team in the screening process.

Standard number here **§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)

There is a real team effort put into the use of screening information.

Standard number here **§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)

Standard number here **§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)

Standard number here **§115.52 – Exhaustion of Administrative Remedies**

- 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)

This is addressed in Program Statements.

Standard number here **§115.53 – Inmate Access to Outside Confidential Support Services**

- 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)

The agency has attempted to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse.

Standard number here **§115.54 – Third-Party Reporting**

- 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)

Standard number here **§115.61 – Staff and Agency Reporting Duties**

- 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)

This issue is addressed in PS 5324.09 and was substantiated via interview with offenders and staff.

Standard number here **§115.62 – Agency Protection Duties**

- 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)

There have been no determinations during the past 12 months that meet the criteria.

Standard number here **§115.63 – Reporting to Other Confinement Facilities**

- 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)

There have been no such allegations in the last 12 months.

Standard number here **§115.64 – Staff First Responder Duties**

- 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)

Standard number here **§115.65 – Coordinated Response**

- 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)

Standard number here **§115.66 – Preservation of ability to protect inmates from contact with abusers**

- 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)

Standard number here **§115.67 – Agency protection against retaliation**

- 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)

Standard number here **§115.68 – Post-Allegation Protective Custody**

- 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)

There have been no such allegations in the last 12 months.

Standard number here **§115.71 – Criminal and Administrative Agency Investigations**

- 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)

Standard number here **§115.72 – Evidentiary Standard for Administrative Investigations**

- 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)

Standard number here **§115.73 – Reporting to Inmate**

- 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)

Standard number here **§115.76 – Disciplinary sanctions for staff**

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)

5324.11 Sexual Abusive Behavior Prevention and Intervention Program address this standard.

Standard number here **§115.77 – Corrective action for contractors and volunteers**

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)

Standard number here **§115.78 – Disciplinary sanctions for inmates**

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)

This standard is addressed in PS 5324.09 and PS 5270.09.

Standard number here **§115.81 – Medical and mental health screenings; history of sexual abuse**

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)

Standard number here **§115.82 – Access to emergency medical and mental health services**

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)

Verified via interviews; this issue is addressed in PS 5324.09.

Standard number here **§115.83 – Ongoing medical and mental health care for sexual abuse victims and abusers**

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)

Standard number here **§115.86 – Sexual abuse incident reviews**

X 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)

Tracking Logs and examples of After Action Review Team Meetings confirm. Examples of After Action Review and Team Meetings.

Standard number here **§115.87 – Data Collection**

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)

Standard number here **§115.88 – Data Review for Corrective Action**

- 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)

Standard number here **§115.89 – Data Storage, Publication, and Destruction**

- 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 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.

Auditor Signature Bruce L. Denny

Date May 15, 2014