

**PREA AUDIT: AUDITOR'S SUMMARY REPORT  
ADULT PRISONS & JAILS**



<b>Name of facility:</b>		Federal Bureau of Prisons FPC Yankton	
<b>Physical address:</b>		1016 Douglas Avenue, Yankton South Dakota	
<b>Date report submitted:</b>		September 22, 2014	
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<b>Date of facility visit:</b>		September 16-18, 2014	
<b>Facility Information</b>			
<b>Facility mailing address:</b>		P.O. Box 680 Yankton South Dakota	
<b>Telephone number:</b>		605-665-3262	
<b>FPC-Yankton is:</b>	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input checked="" type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
<b>Facility Type:</b>	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
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<b>Agency Information</b>			
<b>Name of agency:</b>		Federal Bureau of Prisons	
<b>Governing authority:</b>		U.S. Department of Justice	
<b>Physical address:</b>		320 First St. NW Washington, DC 20534	
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## AUDIT FINDINGS

### NARRATIVE:

The audit of FPC Yankton was conducted on September 16-18, 2014 by Katherine Brown, Certified PREA auditor. The areas toured were a total of three general housing units, a three cell segregation unit plus the kitchen, laundry, programs area, and work areas.

An entrance meeting was held with facility staff. The following people were in attendance: Scott Willis, Warden, Georgina Macias-Carson, Associate Warden, PREA Coordinator, Todd Cowman, Information Technology Manager, ACA Coordinator, Melissa Schreiber, Captain, Tim Allen, Food Service Administrator, Linda Asher, Human Resource Manager, William Pierce, Chief Psychologist, Paula Livengood, Examiner, Central Office, Brian McGorty, Examiner, Central Office, Christian Burch, Management Analyst/ACA Accreditation Manager.

Following the entrance meeting I toured the FPC Yankton from 08:00am to 12:30p.m.. On the tour with me was, Scott Willis, Warden, Georgina Macias-Carson, Associate Warden, PREA Coordinator, Todd Cowman, I.T. Manager, ACA Coordinator, William Pierce, Chief Psychologist, Dan Riggs, Safety Manager.

I asked for an alpha listing of all inmates housed at FPC-Yankton and randomly selected three inmate from each housing unit as well as any inmates who were limited English speaking or had hearing/vision impairment to be interviewed. There were no hearing/vision impairment inmates there, I did interview one limited English speaking inmate. I also asked for any inmate who was transgender/intersex, there were no transgender/intersex inmates. I asked for a shift roster and randomly selected staff to interview.

On the first day I toured the facility and started conducting the interviews. On day two I interviewed seven random staff and eleven random inmate. Day three I completed my random staff interviews for the midnight shift and sat in on the Admission & Orientation program.

There were have been no reported sexual assault/harassment allegation cases at FPC Yankton.

### DESCRIPTION OF FACILITY CHARACTERISTICS:

Federal Prison Camp Yankton is an all-male minimum security facility located in the city of Yankton, South Dakota. The facility confines adult offenders primarily from the Midwestern United States. Inmates are housed at this facility and work in a variety of jobs and/or programs. FPC

Yankton does not house inmates who have records of escape, violence, sexual offenses, or major medical/psychiatric problems.

The facility has three general housing areas in buildings that were formally college dormitories. There are a variety of configurations in the housing unit areas including rooms with bunk beds and multi-bed dormitories. Considering the security level of the facility there is no segregation unit, however, a small three-cell Special Housing Unit is located adjacent to the Control Center. This unit is manned and under complete close circuit audio and visual monitoring from the Control Center officer. There is no infirmary located at FPC Yankton. Inmates requiring either segregation or infirmary services are immediately transferred to a local facility in the community or another Bureau facility. The facility provides space for programming, food service, recreation, as well as administration and support services, all of these areas are clean and well maintained.

**SUMMARY OF AUDIT FINDINGS:**

Number of standards exceeded: 3

Number of standards met: 39

Number of standards not met:

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)
- 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**

Program Statement 5324.11 pg. 14 (a & b); P 3420.11 pg. 6& 7; PS 5270.09. Revised Organizational chart. Based on interviews with PREA Coordinator and PREA compliance manager.

Federal Bureau of Prisons has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlines Federal Bureau of Prison’s approach to preventing, detecting, and responding to such conduct.

Federal Bureau of Prisons employs or designates an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

Federal Bureau of Prisons operates more than one facility; each facility has designated a PREA compliance manager with sufficient time and authority to coordinate FPC-Yankton’s efforts to comply with the PREA standards

**Standard number here**      115.12 Contracting with other agencies for 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)

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

PS 5324.11 pg. 15 (a & b) Based on interview with agency’s contract compliance manager

All contracts include the entity’s obligation to adopt and comply with the PREA standards.

**Standard number here**      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)

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

PS 5324.11 pg. 15 (a) 16, 17; P 3000.03 pg. 12. YAN 5324.11 pg. 6; YAN 5502.10 F. Reviewed Quarterly Salary Workforce Minutes 7/17/14; staffing report; memo from Warden and unannounced round log. Based on interview with Warden, PREA Compliance Manager and PREA Coordinator.

Federal Bureau of Prisons has developed, documented, and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and uses video monitoring, to protect inmates against sexual abuse.

In circumstances where the staffing plan was not complied with, FPC-Yankton documented and justified all deviations from the plan.

Federal Bureau of Prisons completes an annual review, in consultation with the PREA coordinator required by § 115.11, to assess, determine, and document whether adjustments are needed.

<b>Standard number here</b> 115.14 Youthful inmates
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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)

X Not Applicable

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

No youthful inmates are housed at this facility.

<b>Standard number here</b> 115.15 Limits to cross gender viewing and searches
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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**

PS 5324.11 pg. 18 -20; YAN 5324.11 pg. 6. Reviewed PowerPoint; Training Sign in Sheet

FPC-Yankton does not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening).

FPC-Yankton has policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit. FPC-Yankton has developed a recorded message announcing the presence of male/female staff. The announcement is made 5 minutes prior to beginning of shift. When female staff enter a housing unit an announcement is made as was done each time I entered a housing unit.

FPC-Yankton does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it is determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.

Federal Bureau of Prisons trains security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. Interviewed a new hire female who confirmed she was trained in how to conduct a cross gender search.

**Standard  
number here**

115.16 Inmates with disabilities and limited English speaking

- 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**

PS 5324.11 pg. 20 & 21. Reviewed Sexually Abusive Behavior Prevention & Intervention Pamphlet English/Spanish. Language Line services 888-808-9008 (memo); annual staff training. CD- A&O Handbook through the Talking Books Program. Based on random inmate and staff interviews and based on interview with limited English speaking inmate.

FPC Yankton takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of Federal Bureau of Prison's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

FPC Yankton does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety.

**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)

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

PS 5324.11 pg. 21-23; P 3000.03 pg. 9 & 28 (41-45); PS 3420.09 pg. 8; P3420.11 pg.6. Reviewed Questionnaire for Public Trust Positions; BOP Recruitment Pre Employment Guide. Based on interview with Human Resource Director Review of personnel files.

Federal Bureau of Prisons does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor who may have contact with inmates, who has engaged in sexual abuse in any criminal justice facility, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above.

Federal Bureau of Prisons considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

Federal Bureau of Prisons performs a criminal background records check before enlisting the services of any contractor who may have contact with inmates performs a records check at least every five years of current employees and contractors who may have contact with inmates.

Reviewed memo from Assistant Director of HR regarding FBOP Office of Internal Affairs would provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

**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)

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

PS 5324.11 pg. 22. Based on interview of agency head and warden.

When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, FPC Yankton considers how such technology may enhance FPC Yankton ability to protect inmates from sexual abuse. There have been no substantial or modifications to existing facilities.

<b>Standard number here</b>	115.21 Evidence protocol and forensic medical exams
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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**

PS 5324.11 pg. 23 & 24; P6031.03 pg. 42. Reviewed Rape and Sexual Assault HSU-FPC Yankton; Policy Memorandum FY14-POL-13; PREA Pocket Guide; Guide for 1<sup>st</sup> Responder; One Source 1<sup>st</sup> Responder Reference Guide; MOU with Yankton Women & Children’s Center; DOJ/OIG PREA Training. Based on interview with medical and PREA compliance manager.

To the extent FPC Yankton is responsible for investigating allegations of sexual abuse; Federal Bureau of Prisons follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions

FPC Yankton offers all victims of sexual abuse access to forensic medical examinations. These exams are performed at Avera Sacred Heart Hospital without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible.

FPC Yankton makes available to the victim a victim advocate from Yankton Women & Children’s Center.

As requested by the victim, a victim advocate accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information, and referrals. There are also two staff Psychologist that have been trained to provide these services also.

To the extent FPC Yankton itself is not responsible for investigating allegations of sexual abuse, Federal Bureau of Prisons requests that the investigating agency follow the requirements listed above.

<b>Standard number here</b>	115.22 Policies to ensure referrals of allegations for investigations
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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**

PS 5324.11 pg. 25 & 26; PS 5508.02 pg. 2. Reviewed memo for DOJ Employees – Cooperate with Investigators. Rules and Regulations 28CFR Parts O + 45. Reviewed memo from FBI confirming compliance with the standard. Based on interview with Warden and investigative staff.

Federal Bureau of Prisons ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

Federal Bureau of Prisons has a policy that ensures allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. Federal Bureau of Prisons publishes such policy on its website. Federal Bureau of Prisons documents all such referrals.

Any Department of Justice component responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails are have in place a policy governing the conduct of such investigations. There is a MOU with FBI and FBOP on Violations of Federal Criminal Statutes.

<b>Standard number here</b>	115.31 Employee training
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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**

PS 5324.11 pg. 25 - 27; YAN 5324.11. Reviewed annual refresher training agenda; training acknowledgment; PowerPoint; memo showing all investigators received DOJ/OIG PREA Training. PREA Pocket Guide; Guide for 1<sup>st</sup> Responder; One Source 1<sup>st</sup> Responder Reference Guide; Based on interview with random staff.

Federal Bureau of Prisons trains all employees who have contact with inmates on:

- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Inmates’ right to be free from sexual abuse and sexual harassment;
- (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in confinement;
- (6) The common reactions of sexual abuse and sexual harassment victims;
- (7) How to detect and respond to signs of threatened and actual sexual abuse;
- (8) How to avoid inappropriate relationships with inmates;
- (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and

(10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

The training is tailored to the gender of the inmates at FPC-Yankton. The employees receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa.

Federal Bureau of Prisons documents, through electronic verification, those employees understand the training they have received.

Based on all staff carry on their person at all times the PREA Pocket Guide; Guide for 1<sup>st</sup> Responder; and One Source 1s Responder Reference Guide I find the facility exceeds in this standard.

<b>Standard number here</b> 115.32 Volunteer and contractors training
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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**

PS 5324.11 pg. 27. Reviewed Lesson Plan Sexually Abusive Behavior Prevention and Intervention Program. Based on interview with volunteer and contractors.

Federal Bureau of Prisons ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Federal Bureau of Prison's sexual abuse and sexual harassment prevention, detection, and response policies and procedures.

The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Federal Bureau of Prison's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.

Federal Bureau of Prisons has documentation confirming that volunteers and contractors understand the training they have received.

<b>Standard number here</b> 115.33 Inmate education
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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**

PS 5324.11 pg. 27 – 29; YAN 5290.14 pg. 10. Reviewed Inmate Handbook English/Spanish; Institution Admission & Orientation Program Checklist (signed & dated) Based on interview with random inmates and intake staff.

During the intake process, inmates receive information explaining Federal Bureau of Prison's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment.

Within 30 days of intake, FPC Yankton provides a comprehensive education to inmates either in person regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. This is accomplished during the Admission & Orientation (A&O) class. The auditor attended the A&O class on the third day of the audit.

FPC Yankton provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. There is documentation of inmate participation in these education sessions. Auditor suggested doing a more thorough job of training non English Speaking inmates. While they know how to report an incident they do not have the same understanding of PREA as the English speaking inmates. I suggest having someone conduct the Admission and Orientation class in Spanish once the inmate has been identified during intake as needing an interrupter. The PREA information is available to the Spanish Inmates in Spanish through the Talking Books Program. The auditor suggested as a way to identify those inmates that need to be afforded this service could be based on if Intake staff need an interrupter to process the inmate into the facility this would trigger the use of the Talking Books.

<b>Standard number here</b> 115.34 Specialized training: Investigators
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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**

PS 5324.11 pg. 29; YAN 5324.11 pg.4. Reviewed SIS/PREA National Video conference agenda; Sexual Violence PowerPoint; PowerPoint – conducting Interviews & Union Issues. Memo showing all OIG investigators received training. SIS/SIA Training lesson plan; course completion logs for 12 investigators and correspondence trying to get training records from outside agency; DOJ/OIG PREA Training Lesson Plan. Based on interview with investigative staff.

In addition to the general training provided to all employees Federal Bureau of Prisons ensures that the in house investigators have received training in conducting investigations in confinement settings.

Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and

the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Federal Bureau of Prisons maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.

<b>Standard number here</b> 115.35 Specialized training: Medical and mental health care
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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**

PS 5324.11 pg. 29-30. Reviewed PREA video and lesson plan.

Federal Bureau of Prisons ensures that all full and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to: detect and assess signs of sexual abuse and sexual harassment; preserve physical evidence of sexual abuse; respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

Federal Bureau of Prisons maintains documentation that medical and mental health practitioners have received the training.

Medical and mental health care practitioners also receive the training mandated for employees, contractors and volunteers.

<b>Standard number here</b> 115.41 Screening for risk of victimization and abusiveness
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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**

PS 5324.11 pg. 30 – 33. Reviewed Intake Screening form and PREA Intake Follow up Tracking log; PREA Intake Objective Screening Instrument Screening Form. Based on interview with random inmates and intake staff responsible for screening. Only limited staff has access to the risk screening form.

All inmates are assessed during an intake screening and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates.

Intake screenings take place within 72 hours of arrival at FPC-Yankton.

FPC-Yankton uses an objective screening instrument.

The intake screening considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- (1) Whether the inmate has a mental, physical, or developmental disability;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and
- (10) Whether the inmate is detained solely for civil immigration purposes.

Intake; Medical; and Psychologist as well as the Pre-Sentence Investigation conducted by Probation, all touch on #7. A new directive was issued on September 11, 2014 from the Federal Bureau of Prisons instructing staff to start asking all inmates "Do you wish to self-identify your sexual orientation, gender identity any disabilities and/or self-perception of vulnerability". The Associate Warden conducted a team meeting the same day addressing the memo and instructing all intake staff to start asking this question immediately. No new intakes have been received at Yankton since the new procedure was implemented. The auditor suggests looking at the wording of this new directive and consider changing the wording to hit the target audience. The average inmate reads at a third grade level and the auditor felt the words used would not be understood by the majority of the population as well as those inmates who are limited English speaking.

The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Federal Bureau of Prisons, in assessing inmates for risk of being sexually abusive.

Within 30 days from the inmate's arrival at FPC-Yankton, FPC-Yankton reassesses the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by FPC-Yankton since the intake screening.

An inmate's risk level is reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

Inmates are not disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked.

Federal Bureau of Prisons implements appropriate controls on the dissemination within FPC-Yankton of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

<b>Standard number here</b>	115.42 Use of screening information
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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**

PS 5324.11 pg. 34 & 35. PS 5324.11 pg. 3. Based on interview with PREA compliance manager and staff responsible for risk screening.

Federal Bureau of Prisons uses information from the risk screening to decide housing, bed, work FPC Yankton, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

FPC Yankton makes individualized determinations about how to ensure the safety of each inmate.

Placement and programming assignments for each transgender or intersex inmate is reassessed at least twice each year to review any threats to safety experienced by the inmate.

A transgender or intersex inmate's own views with respect to his or her own safety are given serious consideration.

Transgender and intersex inmates are given the opportunity to shower separately from other inmates.

FPC Yankton does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.

<b>Standard number here</b> 115.43 Protective custody
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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**

PS 5324.11 pg. 34 – 36; PS 3420.09 pg. 2. Based on interview with warden. There are no inmates in segregation.

Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has

been made that there is no available alternative means of separation from likely abusers. Per memo from Warden they have not placed any inmate in involuntary segregation.

Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If FPC-Yankton restricts access to programs, privileges, education, or work opportunities, FPC-Yankton documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations.

FPC-Yankton assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment are not ordinarily exceed a period of 30 days. If involuntary segregated housing assignment is made FPC-Yankton clearly documents the basis for FPC-Yankton’s concern for the inmate’s safety; and the reason why no alternative means of separation can be arranged. Every 30 days a review is performed to determine whether there is a continuing need for separation from the general population.

<b>Standard number here</b> 115.51 Inmate reporting
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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**

PS 5324.11 pg. 36; YAN 5324.11 pg. 3-7; PS 3420.11 pg. 5 & 6. Based on interviews with random staff and inmates.

FPC Yankton provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

FPC Yankton provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Federal Bureau of Prisons, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. There is an MOU with Yankton Women and Children’s Center that has a hotline number for inmates to call.

Staff accepts reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports.

Federal Bureau of Prisons provides a method for staff to privately report sexual abuse and sexual harassment of inmates. Staff can report to the OIG or the Sexual Abuse Hotline-Yankton Women and Children’s Center.

<b>Standard number here</b> 115.52 exhaustion of administrative remedies
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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**

PS 1330.18 pg. 1 & 14 – 16. Inmate Handbook 5/20/14 pg. 27 & 28. Memo stating no grievance have been received.

Federal Bureau of Prisons does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.

Federal Bureau of Prisons does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. There have been on grievances files.

Federal Bureau of Prisons ensures that an inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and such grievance is not referred to a staff member who is the subject of the complaint.

Federal Bureau of Prisons issues a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.

Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and are also be permitted to file such requests on behalf of inmates.

Federal Bureau of Prisons has established procedures for the filing of an emergency grievance when the inmate is subject to a substantial risk of imminent sexual abuse.

After receiving an emergency grievance alleging a substantial risk of imminent sexual abuse, FPC Yankton immediately forwards the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action is taken, and provides an initial response within 48 hours, and issues a final agency decision within 5 calendar days. The initial response and final agency decision documents FPC Yankton’s determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

FPC Yankton may discipline an inmate for filing a grievance related to alleged sexual abuse only where Federal Bureau of Prisons demonstrates that the inmate filed the grievance in bad faith.

**Standard number here**

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)

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

PS 5324.11 pg. 37; YAN 5324.11 pg. 8; Inmate Handbook. Based on interview with random inmates and inmates who reported sexual assault.

FPC-Yankton provides inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers of local victim advocacy or rape crisis organizations. FPC-Yankton enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.

FPC-Yankton informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

FPC Yankton maintains a memoranda of understanding with Yankton Women and Children's Center.

<b>Standard number here</b> 115.54 Third party reporting
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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**

PS 5324.11 pg. 38; PREA Notices.

Federal Bureau of Prisons has a method to receive third-party reports of sexual abuse/harassment and distributes publicly, information on how to report sexual abuse and sexual harassment on behalf of an inmate. There is a screen saver on all staff computers providing the website staff can go to, to report a PREA incident.

<b>Standard number here</b> 115.61 Staff and agency reporting duties
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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)

PS 5324.11 pg. 38 & 39. Based on interviews with random staff; warden and medical/mental health staff.

FPC Yankton requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of Federal Bureau of Prisons; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Apart from reporting to designated supervisors or officials, staff do not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions.

FPC-Yankton reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to FPC-Yankton's designated investigators.

<b>Standard number here</b> 115.62 Agency protection duties
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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**

PS 5324.11 pg. 39 Based on interviews with random staff, and warden

Immediate action is taken to protect inmates when FPC Yankton learns that an inmate is subject to a substantial risk of imminent sexual abuse. In the past 12 months no inmate has reported substantial risk of imminent sexual abuse.

<b>Standard number here</b> 115.63 Reporting to other confinement facilities
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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**

PS 5324.11 pg. 40. Based on interview with agency head and warden.

Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility that received the allegation notifies the head of the facility or appropriate office of Federal Bureau of Prisons where the alleged abuse occurred. Such

notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented. No inmates have reported Sexual Abuse at another facility

<b>Standard number here</b> 115.64 Staff first responder duties
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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**

PS 5324.11 pg. 40-41. Based on interview with security staff who are first responders, random staff and inmates who reported sexual abuse.

Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond separates the alleged victim and abuser; preserves and protects any crime scene until appropriate steps can be taken to collect any evidence; and if the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and if the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

If the first staff responder is not a security staff member, the responder request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

<b>Standard number here</b> 115.65 Coordinated response
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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**

PS 5324.11 pg. 41. Based on interview with warden.

FPC-Yankton has a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

I find FPC-Yankton exceeds this standard based on laminated PREA Pocket Card-Coordinated Response Steps.

**Standard number here**

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)

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

PS 5324.11 pg. 43. Based on interview with agency head.

Neither Federal Bureau of Prisons nor any other governmental entity responsible for collective bargaining on Federal Bureau of Prison's behalf entered into or renewed any collective bargaining agreement or other agreement that limits Federal Bureau of Prison's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted. There is a master agreement between FBOP and Council of Prison Locals.

**Standard number here**

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)

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

PS 5324.11 pg. 43 & 44; YAN 5324.11 pg. 5. Based on interview with agency head, warden, designated staff member with monitoring retaliation; inmates in segregation for risk of sexual victimization.

Federal Bureau of Prisons has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and are designate which staff members or departments are charged with monitoring retaliation.

Federal Bureau of Prisons has multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

For at least 90 days following a report of sexual abuse, FPC Yankton monitors the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and are act promptly to remedy any such retaliation. There are periodic status checks performed. Items FPC Yankton should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. FPC Yankton continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

If any other individual who cooperates with an investigation expresses a fear of retaliation, FPC Yankton takes appropriate measures to protect that individual against retaliation.

<b>Standard number here</b> 115.68 Post allegation protective custody
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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**

PS 5324.11 pg. 44. Based on interview with warden.

Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse receive all the same rights and privileges as general population inmates. No inmates have been placed in involuntary segregation.

<b>Standard number here</b> 115.71 Criminal and administrative agency investigation
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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**

PS 5324.11 pg. 44 – 46. Based on interview with investigative staff

When FPC Yankton conducts its own investigations into allegations of sexual abuse and sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. FPC-Yankton has not had any investigations of Sexual Abuse in the past 12 months.

Where sexual abuse is alleged, FPC Yankton uses investigators who have received special training in sexual abuse investigations.

Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; are interview alleged victims, suspected perpetrators, and witnesses; and are review prior complaints and reports of sexual abuse involving the suspected perpetrator.

When the quality of evidence appears to support criminal prosecution, FPC Yankton conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. No agency requires an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

Administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.

Criminal investigations are documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

Substantiated allegations of conduct that appears to be criminal are referred for prosecution.

Federal Bureau of Prisons retains all written reports for as long as the alleged abuser is incarcerated or employed by Federal Bureau of Prisons, plus five years.

The departure of the alleged abuser or victim from the employment or control of FPC-Yankton or agency does not provide a basis for terminating an investigation.

<b>Standard number here</b> 115.72 Evidentiary standard for administrative investigation
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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**

PS 5324.11 pg. 46. Based on interview with investigative staff.

FPC Yankton imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

<b>Standard number here</b> 115.73 Reporting to inmates
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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**

PS 5324.11 pg. 46 - 48. Based on interview with warden; investigative staff. No investigation have been required. There have been no reported incidents requiring outside agencies.

Following an investigation into an inmate's allegation that they suffered sexual abuse in an agency facility, FPC Yankton informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

If FPC Yankton did not conduct the investigation, it requests the relevant information from the investigative agency in order to inform the inmate.

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, FPC Yankton subsequently informs the inmate (unless Federal Bureau of Prisons has determined that the allegation is unfounded) whenever the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at FPC-Yankton; Federal Bureau of Prisons learns that the staff member has been indicted on a charge related to sexual abuse within FPC-Yankton; or Federal Bureau of Prisons learns that the staff member has been convicted on a charge related to sexual abuse within FPC-Yankton.

Following an inmate's allegation that they had been sexually abused by another inmate, Federal Bureau of Prisons subsequently informs the alleged victim whenever FPC Yankton learns that the alleged abuser has been indicted on a charge related to sexual abuse within FPC-Yankton; or Federal Bureau of Prisons learns that the alleged abuser has been convicted on a charge related to sexual abuse within FPC-Yankton.

All such notifications or attempted notifications are documented.

An agency's obligation to report under this standard are terminate if the inmate is released from Federal Bureau of Prison's custody.

There have been no reported incidents requiring investigations.

<b>Standard number here</b>	115.76 Disciplinary sanctions for staff
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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**

PS 5324.11 pg. 48; PS 3420.11 pg. 6 & 7.

Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse. During the past 12 months no staff have violated agency sexual abuse or harassment policies.

Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

<b>Standard number here</b> 115.77 Corrective action for contractors and volunteers
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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**

PS 5324.11 pg. 48; PS 3420.pg 6 & 7 Based on interview with warden

Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. During the past 12 months no contractors/volunteers have been involved with inmates.

FPC-Yankton takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

<b>Standard number here</b> 115.78 Disciplinary sanctions for inmates
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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**

PS 5324.11 pg. 49 Based on interview with medical/mental health staff

Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse.

Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his behavior when determining what type of sanction, if any, should be imposed.

FPC-Yankton offers therapy, counseling, and other interventions designed to address and correct underlying reasons or motivations for the abuse.

FPC Yankton disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. During the past 12 months there have not been any reports of sexual contact between staff and inmates.

A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred are not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

Federal Bureau of Prisons prohibits all sexual activity between inmates and may discipline inmates for such activity.

<b>Standard number here</b> 115.81 Medical and Mental health screening; history of sexual abuse
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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**

PS 5324.11 pg. 50. Reviewed Follow Up Service Log – Psychology Services. Based on interview with staff responsible for risk screening and medical/mental health staff

If the screening indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

If the screening indicates that an inmate has previously perpetrated sexual abuse/prior sexual victimization, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening. Based on FPC security level and location in the community

inmates are closely screened and evaluated and no inmate with a history of sexual abuse would be permitted at the camp.

Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. No known inmates with a history of sexual victimization or abusiveness has occurred in the facility.

Medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting. FPC-Yankton has not had any reason to release any information.

<b>Standard number here</b>	115.82 Access to emergency medical and mental health services
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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**

PS 5324.11 pg. 51 & 52; YAN 5324.11 pg. 4. Reviewed medical/mental health log. Based on interview with medical and mental health staff.

Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and are immediately notify the appropriate medical and mental health practitioners.

Inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.

Treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

<b>Standard number here</b>	115.83 ongoing medical and mental health care for sexual abuse victims
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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**

PS 5324.11 pg. 52 & 53. Based on interview with medical/mental health staff.

FPC-Yankton offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.

The evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.

FPC-Yankton provides such victims with medical and mental health services consistent with the community level of care.

Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.

Treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.

**Standard number here**

115.86 Sexual abuse incident reviews

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**

PS 5324.11 pg. 53 & 54 Based on interview with warden, PREA compliance manager; incident review team.

FPC-Yankton conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. This review occurs within 30 days of the conclusion of the investigation. The review team includes upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. A Review Team has been established, however has not been used due to no reported incidents.

The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at FPC-Yankton;

and they examine the area in FPC-Yankton where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be

deployed or augmented to supplement supervision by staff. FPC-Yankton has not had any investigations/allegations of Sexual Abuse in the past 12 months.

<b>Standard number here</b> 115.87 Data collection
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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**

PS 5324.11 pg. 55 & 56. Reviewed Survey of Sexual Violence report.

Federal Bureau of Prisons collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

Federal Bureau of Prisons maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Federal Bureau of Prisons obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

Upon request, Federal Bureau of Prisons provides all such data from the previous calendar year to the Department of Justice no later than June 30.

<b>Standard number here</b> 115.88 Data review for corrective action
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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**

PS 5324.11 pg. 57. Reviewed 2013 Annual Report. Based on interview with PREA coordinator.

Federal Bureau of Prisons reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training,

including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Federal Bureau of Prisons as a whole.

Such reports includes a comparison of the current year’s data and corrective actions with those from prior years and are provide an assessment of Federal Bureau of Prison’s progress in addressing sexual abuse.

Federal Bureau of Prison’s report is approved by Federal Bureau of Prisons head and made readily available to the public through its website.

<b>Standard number here</b> 115.89 Data storage, publication and destruction
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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**

PS 5324.11 pg. 57. Reviewed Annual Report.

Federal Bureau of Prisons makes all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website.

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or local law requires.

**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 Federal Bureau of Prisons under review.

*Katherine Brown*

September 22, 2014

Auditor Signature

Date