PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

NATIONAL PREA RESOURCE CENTER

BJA Bureau of Justice Assistance U.S. Department of Justice

[Following information to be populated automatically from pre-audit questionnaire]				
Name of facility:	**Crossroads Correctional Center**			
Physical address:	**50 Crossroads Drive, Shelby, MT 59474**			
Date report submitted:	**Final Report 13 November 2015**			
Auditor Information				
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Telephone number:	**540 903 6457**			
Date of facility visit:	**August 3 – 5 2015**			
Facility Information				
Facility mailing address: *(if different from above)*	**SAA**			
Telephone number:	**406 434 7400**			
The facility is:	☐ Military	☐ County	☐ Federal	
	X Private for profit	☐ Municipal	☐ State	
	☐ Private not for profit			
Facility Type:	☐ Jail	x Prison		
Name of PREA Compliance Manager:	**Douglas Fender**	**Title:**	**Assistant Warden,**	
Email address: Douglas.fender@cca.com		**Telephone number:**	**406 434 7430**	
Agency Information				
Name of agency:	**Corrections Corporation of America**			
Governing authority or parent agency: *(if applicable)*	**NA**			
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Telephone number:	**615-263-3000**		
Agency Chief Executive Officer			
Name:	**Damon Hininger**	**Title:**	**President and Chief Executive Officer**
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Agency-Wide PREA Coordinator			
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AUDIT FINDINGS

NARRATIVE:

The PREA audit of the Crossroads Correctional Center was conducted on August 3 - 5, 2015 by David Haasenritter. Approximately three weeks prior to the audit, the auditor received the PREA questionnaire and additional documents through a disk. The documents and questionnaire were well organized, highlighted, and tabbed. This along with providing the information three weeks in advance of the audit enabled the audit to move forward very efficiently. The night before the audit the facility provided a roster of all inmates housed at the facility; lists of inmates for specific categories to be interviewed; and a lists of all staff by duty position and shifts that were used to identify inmates and staff to be interviewed (random and specific category).

The auditor contacted Just Detention International (JDI) in reference any information previously submitted by inmates at the Crossroads Correctional Center and reviewed the Corrections Corporation of America (CCA) website prior to the audit. The CCA website is the most informative and one of the easiest to find PREA information of all agencies this auditor has audited. CCA PREA page lists: general information on PREA; agency zero tolerance policy; how to report; information on investigations; and where questions and inquiries can be forwarded to (PREA Coordinator phone and mailing address). It also has a number of links to include: PREA standards; PREA Resource Center website; CCA PREA policy; CCA 2013 and 2014 PREA Report; and CCA Facility PREA information. The CCA Facility PREA information link lists each CCA facility with information on that facility's PREA Compliance Manager; third party reporting methods; PREA policy; PREA audit dates; and PREA audit reports if completed and posted.

Following the entrance meeting with staff, the auditor toured the entire facility on August 3rd. While touring, random inmates and staff were informally interviewed and questioned about their knowledge of PREA. All housing units, day rooms, inmate program areas, work areas and all other inmate accessible areas were toured. While touring several inmates and staff were questioned about their knowledge of PREA standards, procedures for reporting, services available and their responsibilities. All staff and inmates informally interviewed during the tour acknowledged receiving training and procedures for reporting sexual abuse, sexual harassment and/or retaliation for reporting. During the tour the auditor reviewed staffing; logs; physical plant; sight lines; camera coverage; tested the inmate phone system for reporting

allegations and for emotional support services; and facility operations. Following the tour, the auditor began the formal interviews, review of investigations, checking of cameras, and random checks of personnel, medical, and training records. A total of 31 staff was formally interviewed in the course of the audit. This number includes three volunteer/contract employees. One staff refused to be interviewed. The interviews of the Agency Head/Designee had previously been done by another auditor and the notes from those interviews were shared with the auditors prior to the on-site visit. The PREA Coordinator was also previously been done by another auditor and this auditor also previously interviewed her. There is no SAFE or SANE staff at the facility; they are made available at Benfis Hospital Great Falls. Staff interviewed were well versed in their responsibilities in reporting sexual abuse, sexual harassment, and staff negligence; first responder duties; and evidence preservation. CCA has continued to build a culture of zero tolerance.

A total of 22 prisoners were formally interviewed, 15 random (at least one from each housing unit), one LGBTI, one handicap inmate, three inmates who disclosed sexual victimization during screening, and two inmates who reported sexual abuse while confined. Majority of the inmates interviewed acknowledged receiving PREA training and written materials, (posters, pamphlets, and inmates handbooks) outlining the agencies zero tolerance policies towards sexual abuse, sexual harassment and retaliation for reporting, as well as the procedures for reporting. Some inmates stated they would not report sexual assaults, all inmates who were asked stated they felt safe at the facility. The auditor found the inmates aware of PREA.

There were three allegations of a sexual abuse at Crossroads Correctional Center during the audit cycle. All three had administrative investigations; two were forwarded to Toole County Department of Public Safety for criminal investigations and prosecution as applicable. All three were staff sexual abuse. The auditor reviewed each administrative investigation file. The criminal cases were briefed as still pending. Two cases were determined to be substantiated (those are the ones pending criminal investigations) and one allegation was determined to be unsubstantiated.

When the on-site audit was completed, the auditor conducted an exit meeting. While the auditor could not give the facility a final finding, the auditor did provide a preliminary status of his findings. The auditor thanked CCA and Crossroads Correctional Center staff for their hard work and commitment to the Prison Rape Elimination Act.

During the interim report writing period, the auditor reviewed modified policies; additional documents; and conducted phone interviews with staff. The PREA Coordinator was very helpful in coordinating all the additional documentation.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The Crossroads Correctional Center is located in northern portion of the State of Montana, in Toole County. It is 85 miles north of Great Falls and three miles from the City of Shelby. The 55th Montana Legislature authorized the construction and operation of the facility to address a need for additional secure bed space by the Montana Department of Corrections (MDOC) prison system. Corrections Corporation of America

was selected to design, construct, and manage the facility in 1998. In May 2003, Crossroads began housing United States Marshals Service (USMS) detainees and in 2007 two new pods were added (96 beds) to accommodate them. In July 2005, Crossroads added a 48-bed dormitory to serve MDOC. In February 2015, 54 additional beds were added throughout D-Wing A and B Pods and E-Wing D, E, and F Pods.

The facility is situated on 80 acres (17.52 acres inside of the secure perimeter). There are three separate buildings contained inside the secure perimeter: one large main building (individual areas/buildings are all connected by two main long hallways), the gymnasium, and an industries building. Two outside buildings include the armory and a maintenance building used to store power equipment. There are four housing units, one with two pods, two with three pods, and one open dormitory. Montana Department of Corrections inmates are housed in double or triple bed cells or double bunk dormitory housing. United States Marshal Service detainees are housed separately in double bunk cells. The majority of these detainees are awaiting trial or parole/probation determinations. The restricted housing unit includes 24 cells that are all double bunked but one. Unless more than 24 beds are required, the cells are used as one man cells to address disciplinary confinement, protective custody, and administrative segregation needs of the facility. All facility cells contain a toilet and sink and S-Dorm provides communal toilets, sinks, and showers. The Crossroads Correctional Center employs up to 178 full-time staff, four part-time staff (security and medical), and food service is contracted to the Trinity Service Group.

Population on the day of the audit was 675. Per the pre audit questionnaire there were 780 inmates with length of stay more than 30 days; 1202 inmates admitted in last 12 months; and 130 inmates were admitted prior to August 20, 2012.

The CCA mission is "advancing corrections through innovative results that benefit and protect all we serve." The mission and philosophy of Crossroads Correctional Center is "To protect society and meet judicial and statutory obligation by ensuring safe and secure detention and control of all persons ordered to custody; provide for the health and wellbeing of all persons in custody in a humane environment which is respectful of human rights and needs; and prepare persons in custody for their return to the community as more self-supporting, contributing members of society."

SUMMARY OF AUDIT FINDINGS:

On August 3 – 5 2015, the onsite visit was completed. Within a week of the audit being completed, the auditor determined seven standards had not met standards. On September 2nd (during the 30 day interim report writing period), CCA and Crossroads Correctional Center completed corrective action plans on each of the standards and the auditor started the final report. The results of Crossroads Correctional Center audit is listed below:

Number of standards exceeded: 4
Number of standards met: 36
Number of standards not met: 0
Non-applicable: 3

§115.11 - Zero Tolerance of Sexual Abuse and Sexual Harassment; PREA Coordinator

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)

Corrections Corporation of America (CCA) has a written policy mandating zero tolerance towards all forms of sexual abuse and sexual harassment. The main PREA policy is 14-2 "Sexual Abuse Prevention and Response" which outlines the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment. Other agency policies such as 13-79 "Sexual Assault Response" supplement the main PREA policies. Each CCA facility has a facility version of the CCA policy that is tailored to the respective facility based on CCA and the client (Montana Department of Corrections). Each CCA facility tailors 14-2 policy based on specifics of the contracting agency and dynamics of that facility. The specific procedures are made right in the base document, and that document has the agency effective date and the facility effective date. Most agencies the auditors have audited use memorandums to lists the responsibilities of the PREA Coordinator and PREA Manager, CCA has it in the main policy. The policies and procedures were very well organized, and have been updated based on PREA audits previously conducted. It is clear to the auditors that the Prison Rape Elimination Act is part of the CCA fabric.

CCA employs an upper-level, agency-wide PREA coordinator and a PREA compliance manager. Ms. Lisa Hollingsworth is the PREA Coordinator. She is very knowledgeable of PREA standards and is one of the top PREA Coordinators I have met. Ms. Hollingsworth has the authority to develop, implement, and oversea PREA compliance. She is very active in coordinating PREA, consistently sending updates to CCA facilities, especially as FAQs are posted on the PREA website. She conducts training and meetings to keep unit PREA Compliance Managers up to date on any changes and best practices. She is consistently looking for ways to improve CCA PREA program.

Mr. Douglas Fender is the Crossroads Correctional Center PREA Compliance Manager. He was very knowledgeable of PREA standards and was actively involved in PREA activities. He claimed to have enough time to perform his PREA duties. He coordinates and conducts training, provides info to staff at staff calls, advises the Warden, contacts PREA Coordinator for clarification and coordinates with facility leadership.

§115.12 - Contracting with other Entities for the Confinement of Inmates

☐ Exceeds Standard (substantially exceeds requirement of standard)

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

☐ Does Not Meet Standard (requires corrective action)

X Not Applicable

CCA is a private provider and does not contract with other agencies for the confinement of inmates; therefore this standard is not applicable.

§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)

CCA/Crossroads Correctional Center Policy 14-2 directs each facility it operates develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. CCA ensures each facility it operates develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse by monitoring and reviewing the staffing plans. The policy and Crossroads Correctional Center uses the criteria found in standard 115.13 (a) to include generally accepted correctional practices; any judicial findings of inadequacy; any findings of inadequacy from Federal investigative agencies; any findings of inadequacy from internal or external oversight bodies; all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated); composition of the inmate population; number and placement of supervisory staff; institution programs occurring on a particular shift; any applicable State or local laws, regulations, or standards; prevalence of substantiated and unsubstantiated incidents of sexual abuse; and other relevant factors to develop and review the staffing plan. The staffing plan is supplemented by video monitoring and mirrors to protect staff and inmates. During the audit Crossroads Correctional Center ordered a few areas identified during the audit that mirrors would improve security and safety.

CCA/Crossroads Correctional Center Policy 14-2 requires the staffing plan be complied with and when it does not the Crossroads Correctional Center shall document and justify all deviations from the plan. Through review of the staffing plan and shift documents, interview of staff and the leadership, Crossroads Correctional Center did not deviate from the plan that provides for adequate levels of staffing and uses video monitoring to protect inmates against sexual abuse. The Crossroads Correctional Center uses overtime to ensure the staffing plan is complied with.

The staffing plan is reviewed annually by the facility. The PREA Coordinator works with the facility when they conduct their review, along with reviewing the plan when it comes to the agency level. It is then forwarded to the Vice President of Facility Operations for signature and approval of any recommendations made which would include changes to policy and procedures, physical plant, video monitoring or staffing. The last Annual Staffing Plan Assessment was completed in July 2015. The auditor reviewed the last two staffing plan assessments.

Unannounced rounds by intermediate-level or higher-level supervisors are documented in logs, and are done randomly on all shifts. Supervisors conducting the rounds must document their checks and any findings. CCA/ Crossroads Correctional Center 14-2 requires these checks and prohibits staff from alerting other staff members that supervisory staff rounds are being conducted. Staff and inmate interviews and the logs confirmed the unannounced rounds by supervisors are done on all shifts and staff were not alerting other staff the unannounced rounds were being conducted. The two staff interviewed were very knowledgeable of their responsibilities.

The agency head was interviewed prior to this audit and confirmed that a five year capital expenditure plan had been approved to enhance camera coverage at all CCA facilities.

§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 Not Applicable

Crossroads Correctional Center is an adult male facility and does not house youthful inmates; therefore this standard is not applicable.

§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)

CCA/Crossroads Correctional Center Policy 14-2 outlines Crossroads Correctional Center shall not conduct cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners; shall document all cross-gender strip searches and cross-gender visual body cavity searches; shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status; and if the inmate's genital status is unknown, it may be 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. It also requires security staff to be trained 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. The Crossroads Correctional Center has not conducted any cross-gender strip searches or cross-gender visual body cavity searches in the last 12 months. Through interviews of staff and inmates it was determined staff do not search or physically examine a transgender or intersex inmates for the sole purpose of determining the inmate's genital status, and only medical staff if needed would make that determination. Through review of training records and interviews of staff demonstrated staff had been trained on how to conduct cross-gender pat-down searches. Though a review of training records demonstrated staff had been trained on how to conduct searches of transgender and intersex inmates, most staff interviewed said they were not trained nor could they demonstrate how to conduct a search of a transgender or intersex inmate (standard 115.15(f)). The auditor reviewed the curriculum which covered how to conduct searches of transgender and intersex inmates. The auditor discussed with the Warden and PREA Compliance Manager, who immediately developed a corrective action to retrain all staff. During the audit, the Warden and the PREA Compliance Manager started the retraining of the staff on conducting searches of transgender and intersex inmates using the recently released PREA Resource Center training video and discussion with staff. All staff was trained during the interim report writing period (completed August 26th). The auditor observed the training, and was impressed with the training and leadership lead discussion on the topic. Training sign in sheets were provided to the auditor of both those who attended during the audit and during the interim report writing period.

The Crossroads Correctional Center does not house female inmates, thus are NA with standards 115.15(b) and part of (c).

CCA/Crossroads Correctional Center Policy 14-2 states the facility shall 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; and requires staff of the opposite gender to announce their presence when entering an inmate housing unit. It provides guidance how opposite gender staff is to announce their presence when entering an inmate housing unit. It also addresses facilities shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. Observation during the audit, and staff and inmate interviews confirmed that female staff announces themselves when they enter the housing units; and that staff do not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status.

Some showers and toilets were identified as areas female staff could observe and view male inmate's buttocks, or genitalia when either passing the showers and toilets or through the cameras standard 115.15 (d). All cameras were reviewed. Corrective action for standard 115.15 (d) reference inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their buttocks, or genitalia required Crossroads Correctional Center to modify current screens and curtains to better eliminate female staff having a view of male inmates during showering or using the toilets. During the audit Crossroads Correctional Center started modifying the curtains, and during the interim report writing period all the modifications were completed (completed August 26th). Photos of all the changes not observed by the auditor during the audit were provided to the auditor.

§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)

CCA/Crossroads Correctional Center Policy 14-2 ensure inmates with disabilities and who are limited English proficient have access to PREA information and programs. Crossroads Correctional Center has taken steps to ensure that inmates who are limited English proficient or disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Crossroads Correctional Center does have a contract with Language Line Solutions for language translator service for inmates who are limited English proficient. Additionally, Crossroads Correctional Center uses two "qualified interpreters" who are designated staff who has demonstrated a satisfactory level of competency in both Spanish and English languages. PREA handouts and inmate handbooks are in English and Spanish. English and Spanish PREA posters are posted throughout the facility for inmates and staff to see. Staff and inmates stated inmates are not used as interpreters when addressing sexual abuse and sexual harassment allegations. CCA/Crossroads Correctional Center Policy 14-2 does state the facility shall 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, the performance of first-response duties, or the investigation of the inmate's allegations.

The facility did have a TDD phone for those with hearing impaired. One inmate who was identified as partially deaf was interviewed. He had a good understanding of PREA and had been provided the information.

§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)

CCA/Crossroads Correctional Center Policy 14-2 outlines policy and procedures to ensure staff and contractors are not hired or promoted who has engaged sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution; 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 been civilly or administratively adjudicated to have engaged in sexual activity facilitated by force, overt or implied threats of force, or coercion. The CCA/Crossroads Correctional Center Policy 14-2 also requires the facility to consider 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; requires background checks for staff and contractors; to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse; imposes upon employees a continuing affirmative duty to disclose any such misconduct; identifies material omissions regarding sexual misconduct, or the provision of materially false information, shall be grounds for termination; states CCA shall 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.

Through review of personnel records and interviews it was determined Crossroads Correctional Center has a system of conducting criminal background checks for new employees and contractors who may have contact with inmates to ensure they do not hire or promote anyone who had engaged in sexual abuse in a prison or other confinement setting; been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, coercion, or if the victim did not consent or was unable to consent or refuse; or had civilly or administratively adjudicated to have engaged in sexual activity in the community facilitated by force, coercion, or if the victim did not consent.

Interview of human resource personnel and review of personnel records verified that the Crossroads Correctional Center considers incidents of sexual harassment in hiring and promotion of staff and contractors as applicable; requests previous employers to provide information; provides 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; and staff annually discloses any sexual misconduct under PREA.

CCA requests previous employers to provide information which was verified by examples of requests. CCA provides 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.

CCA/Crossroads Correctional Center Policy 14-2 requires staff to disclose any sexual abuse in prison or other institution; convicted of or civilly or administratively adjudicated for engaging in sexual activity in the community by force or coercion or victim did not consent. CCA policy requires employees to affirm each year they have not engaged in any sexual abuse in a facility; engaged or attempted to engage in sexual activity by force; and has been administratively or civilly adjudicated of such activities. Both of these policies were confirmed through interviews and review personnel documents to include examples of employee annual affirmation.

Prior to the audit, Crossroads Correctional Center provided one employee proof of background check, self-declaration, and annual asking of employees if they had engaged sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution; 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 been civilly or administratively adjudicated to have engaged in sexual activity facilitated by force, overt or implied threats of force, or coercion. On-site the auditor reviewed four additional random personnel records all of which had the above information in their records. Per the questionnaire, there were 89 new hires and all 89 had background checks completed. Prior to audit, the auditor was also provided one contractor background check and reviewed two additional contractor background checks on-site.

§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)

Through review of CCA/Crossroads Correctional Center Policy 14-2 outlines and interviews of CCA Agency Head representative, PREA Coordinator, PREA Compliance Manager, and Warden it was determined that the CCA considers the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse. The agency head was interview prior to this audit and confirmed that a five year capital expenditure plan had been approved to enhance camera coverage at all CCA facilities. At least once per year or whenever necessary the Warden reviews the video monitoring system to ensure coverage enhances the ability to protects inmates from sexual abuse. The PREA Compliance Manager provides the Warden info from the substantiated and unsubstantiated incidents of sexual abuse to assist in the assessment. Currently Crossroads Correctional Center has 117 cameras

with monitoring capability of retaining data. Crossroads Correctional Center installed shower curtains in 2013; and in 2014 installed PREA signage above each housing area front door reminding staff of the opposite gender to announce themselves when entering the housing unit.

§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)

CCA/Crossroads Correctional Center Policy 14-2 outline evidence protocols for administrative proceedings and criminal prosecutions; and requirements for forensic medical exams. The Crossroads Correctional Center investigator handles all the administrative proceedings regarding PREA allegations. Criminal investigations are conducted by the Toole County Department of Public Safety. Crossroads Correctional Center has an MOU with the Toole County Department of Public Safety to conduct all criminal PREA investigation, and includes PREA investigator training requirements, and it provides the responsibilities of each organization. There is a uniform evidence protocol that maximizes the potential for usable physical evidence for administrative and criminal prosecutions. The protocols were reviewed and found to be in line with DoJ's National Protocol for Sexual Assault Medical Forensic Examinations. Majority of the staff interviewed were very knowledgeable of the evidence protocols, and could explain the protocol for obtaining useable evidence when an inmate alleged sexual abuse. Seventy-two hours is used for collection of evidence through a sexual assault medical forensic examination. The auditors conducted interviews with Crossroads Correctional Center investigators who also had a good understanding of the investigative procedures and responsibilities and evidence protocols.

CCA has a MOA with Marias Health Care Inc. for professional medical services. The Marias Medical Center transports all sexual abuse victims to Benfis Hospital Great Falls where Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) are utilized to conduct forensic exams. The services are provided at no costs to the inmate when requested. There have been no forensic exams done in the last 12 months. The auditor contacted Benfis Hospital Great Falls and verified inmate victims would be transferred from Marias Medical Center for forensic exams conducted by SAFE and SANE personnel. If alleged sexual abuse occurred within 72 hours, security escorts the victim to medical department for medical staff to assess and stabilize while awaiting transfer to hospital for a forensic exam. Also while waiting mental health staff conducts an evaluation for suicidal ideation and on-going counseling. CCA has a very good checklist of steps to follow.

CCA/Crossroads Correctional Center has a MOU with Hi-Line Help for Abused Spouses to provide inmate victims of sexual abuse a victim advocate.

§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)

CCA/Crossroads Correctional Center Policy 14-2 requires an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment, that all allegations of sexual abuse or sexual harassment are referred for investigation by the appropriate authority. Crossroads Correctional Center had three sexual abuse/sexual harassment allegations, all of which were referred for investigation. Two were referred to Toole County Department of Public Safety, the other was referred for administrative investigation by Crossroads Correctional Center investigator. The MOU with Toole County Department of Public Safety and CCA/Crossroads Correctional Center Policy 14-2 describes the responsibilities for each agency. Review of the investigative file and interviews of the Warden and investigative staff, the Crossroads Correctional Center ensures that an administrative and/or a criminal investigation is completed for all allegations of sexual abuse and sexual harassment. Referrals of allegations are first investigated by the facility.

There were three allegations of a sexual abuse at Crossroads Correctional Center during the audit cycle. All three had administrative investigations; two were forwarded to Toole County Department of Public Safety for criminal investigations and prosecution as applicable. All three were staff sexual abuse. The auditor reviewed each administrative investigation file. The criminal cases were briefed as still pending. Two cases were determined to be substantiated (those are the ones pending criminal investigations) and one allegation was determined to be unsubstantiated.

The agency's policy regarding referral of allegations of sexual abuse and sexual harassment for criminal investigation are available on the CCA website.

§115.31 – Employee 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)

Crossroads Correctional Center employees receive PREA training annually through scheduled training, town hall meetings, and employee recall meetings. Additionally, staff is provided and carries a PREA card with good information on PREA for staff.

Annual training uses the CCA training curriculum. The PREA training curriculum was reviewed and verified that the training provided to employees is very comprehensive. Review of the lesson plan and slides demonstrated the training covered: CCA zero-tolerance policy for sexual abuse and sexual harassment; how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; inmates' right to be free from sexual abuse and sexual harassment; the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; the dynamics of sexual abuse and sexual harassment in confinement; the common reactions of sexual abuse and sexual harassment victims; how to detect and respond to signs of threatened and actual sexual abuse; how to avoid inappropriate relationships with inmates; how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. Interviews of staff demonstrated they understand CCA zero tolerance policy; the policy and procedures for prevention, reporting and response to a sexual assault or sexual harassment incident, and how to obtain useable physical evidence. Employees sign an acknowledgement form that they have received and understood the training they received during pre-service and annual in-service training. Annual training was three hours in length in 2014. The questionnaire stated all 172 staff were trained. Prior to the audit one staff members training record was provided that demonstrated the staff had been trained and signed a document stating he understood the training received. During the audit, the auditor randomly selected an additional five training records for review, all staff members had been trained and there was documentation the staff signed stating they understood the training received.

§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)

CCA/Crossroads Correctional Center Policy 14-2 and the PREA training curriculum outlines training requirements for volunteers and contractors who have contact with inmates. At Crossroads Correctional Center, volunteers and contractors receive the same training as staff on PREA and a handout with basic PREA information. Prior to the audit the PREA slides and a contractors training record and memorandum stating he understood the training was provided. The PREA Pre-Questionnaire stated 172 new contractors and volunteers had received the training during the last 12 months. While on-site the auditor randomly selected two contractors and one volunteer training record for review. All three demonstrated they had been trained and had a memorandum stating they understood the training. Three volunteers and contractors were interviewed. Interviews of the contractors and volunteers demonstrated their

knowledge of PREA, their responsibilities and the agency zero tolerance policy. All contractors and volunteers who have contact with inmates have been trained.

§115.33 – Inmate Education

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)

CCA/Crossroads Correctional Center Policy 14-2 requires that all inmates receive PREA information upon arrival and PREA education as part of the Admission and Orientation program. During intake inmates are provided information through a PREA pamphlet and inmate rule book (both available in English and Spanish) that explains the agencies zero tolerance policy regarding sexual abuse and sexual harassment; and how to report such incidents. Additionally, the staff covers basic PREA information and shows a CCA inmate education video. The video was viewed by the auditor and was very well done. During facility orientation (within 30 days of arrival) they receive additional training which expands on the previous information provided. Inmates acknowledge receiving the PREA information in writing. Posters are posted throughout the facility in formats accessible to all inmates. Information provided included: inmate rights; how to report; what to expect after you report; and how to protect yourself against sexual assault. Additionally, Crossroads Correctional Center has conducted inmate PREA training at town hall meetings.

During the tour and interviews most inmates acknowledged the information being provided upon arrival and orientation, and posters displayed throughout the facility. The inmates interviewed definitely knew the agency zero tolerance policy; the difference between sexual abuse and sexual harassment; and that they have the right to be free from retaliation for reporting such incidents. Prior to the audit, the auditor reviewed one example of an inmate documenting training, and randomly reviewed ten inmate records onsite which demonstrated inmates received PREA information upon arrival, training within 30 days of arrival, and acknowledged through signature they have received and understood the training.

§115.34 – Specialized Training: 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)

CCA/Crossroads Correctional Center Policy 14-2 requires the facility's investigator receives specialized training in addition to the general education provided to all employees. The previous investigator completed the National Institute of Corrections (NIC) PREA Investigating Sexual Abuse in a Confinement Setting course along with the CCA investigator course. The current investigator had not been trained to conduct sexual abuse investigations in a confinement setting (115.34(a). The NIC and CCA special training for investigators cover all requirements of the standard to include 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. The agency maintains documentation that the previous investigator has received both the general and investigative PREA training. The current investigator has received the basic training and the PREA Coordinator coordinated for him to attend the upcoming PREA investigator training in late August. The current investigator completed his PREA Investigator training on August 21st. During the audit, the auditor was briefed any PREA investigation would be referred to the CCA Regional Investigator or Toole County Department of Public Safety investigator.

§115.35 – Specialized Training: Medical and Mental Health Care

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)

CCA/Crossroads Correctional Center Policy 14-2 outlines the training required for medical and mental health practitioners to include both PREA requirements for medical practitioners. CCA has developed a very comprehensive training for its medical and mental health practitioners. The medical training included how to detect and assess signs of sexual abuse and harassment, how to preserve physical evidence, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how to report allegations of sexual abuse and harassment. The auditor was provided two training records of medical staff prior to the audit to demonstrate annual PREA training and PREA specialized medical training. On-site the auditor randomly selected 12 medical and mental health staff for review of training records. All 12 had received the PREA medical training in 2014 or 2015; and the basic training in 2012 and 2014 with a PREA update in 2013 depending on employment date. Interviews of medical and mental health care staff (contractors) further verified medical and mental health care staff had received the medical and basic PREA training. Interviews of medical and mental health staff demonstrated they understood: how to detect and assess signs of sexual abuse and sexual harassment; how to preserve physical evidence of sexual abuse; how to 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. The facility medical staff does not conduct forensic examinations.

§115.41 – Screening for Risk of Victimization and Abusiveness

☐ 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)

CCA/Crossroads Correctional Center Policy 14-2 requires Crossroads Correctional Center to screen upon admission for risk of sexual abuse victimization or sexual abusiveness toward other inmates. All inmates are assessed during intake screening for their risks of being sexually abused by other inmates or sexually abusive towards other inmates. Per the CCA/Crossroads Correctional Center Policy 14-2 the intake screen is done within 24 hours. The auditor had the staff that performs the screen to conduct a screen of the auditor to demonstrate the process of filling out the screening form. The process was done very professionally. All the criteria referenced in the standard are on the form and inmates are asked most of the questions required to be asked to the inmate. The screen also requires the screener to make his/her own assessment of whether the inmate is gender non-conforming. The screening instrument is objective in determining if inmate is at risks for victimization or abusiveness. CCA/Crossroads Correctional Center Policy 14-2 requires the facility reassesses the inmate's risks of victimization or abusiveness within 30 days and the inmate's risks level is reassessed again 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. The facility provided one initial screen and one follow-up screen prior to the audit. On-site the auditor randomly selected eight inmates and reviewed the screening forms to include those that were reassessments within 30 days. Only four of eight reassessments were completed within 30 days (115.41(f)). The auditor reviewed four referrals to mental health are made as warranted in response to the inmate's disclosures. The auditor also reviewed some inmate screens that were labeled annual screens. Staff interviews confirmed appropriate controls have been implemented to ensure that sensitive information is not released and exploited by staff or other inmates. Risk screening records are maintained in classification and only a limited number of staff has access to these files. The screening instrument was restricted to staff making housing, work and program assignments. Inmates are not disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked. The inmate population remembers being asked the questions and being screened upon arrival.

During the report writing period the auditor requested thirteen randomly selected inmate screenings. All inmates had a screening and a reassessment but only nine of thirteen had a reassessment completed within 30 days. The auditor recognized that

timeliness of screens had improved in 2015 and during the interim report writing period found the facility in compliance with the standard (August 28th).

§115.42 – Use of Screening Information

☐ 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)

CCA/Crossroads Correctional Center Policy 14-2 outlines the use of the screening form to include: using the information from the risk screening to determine housing, bed, work, 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; making individualized determinations about how to ensure the safety of each inmate; consider on a case-by-case basis whether to assign a transgender or intersex inmate to a facility for male or female inmates, housing and programming assignments, based on the inmate's health and safety, inmate's own views with respect to his or her own safety, and whether the placement would present management or security problems; reviewing twice a year placement and programming assignments for each transgender or intersex inmate to review any threats to safety experienced by the inmate; allowing transgender and intersex inmates the opportunity to shower separately from other inmates; and not placing 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.

Through a review of screening forms, housing and program decisions, and staff interviews, it was determined Crossroads Correctional Center uses the screening information to determine housing, bed, work, education, and program assignment with the goal of keeping inmates at high risk of being sexually victimized separate from those at high risk of being sexually abusive. The decisions are made on a case-by-case basis using information from the screen, assigned PREA classification, and good correctional judgment. The process is clearly defined in the policies and implemented in the use of PREA and classification forms. Additionally the screening form is computerized and automatically provides flags when an inmate is programmed for a cell and cell mate that is not compatible.

There were inmates who were gay and they acknowledged they were treated with respect and were not housed in dedicated housing area.

§115.43 – 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)

CCA/Crossroads Correctional Center Policy 14-2 states inmates at high risks for sexual victimization shall not be 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; if placed in segregated housing involuntarily they shall have access to programs, privileges, education, and work opportunities to the extent possible; and that the facility shall document any access to programs, privileges, education, or work opportunities that was restricted and that every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population. Interviews of the Warden, PREA Compliance Manager, and segregation staff verified inmates at high risk of sexual victimization would not be placed in involuntary segregation unless other measures have been assessed. Other measures included moving housing areas or facilities. It was confirmed through investigative paperwork and during interviews with the Warden and staff who supervise segregated inmates that segregation has not been used during the past 12 months to house any inmate at high risk for victimization.

§115.51 – Inmate 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)

CCA/Crossroads Correctional Center Policy 14-2 and fliers provide multiple internal and external ways for inmates to report sexual abuse, sexual harassment and retaliation by other inmates or staff for reporting sexual abuse and sexual harassment. Interviews of inmates, staff and review of policies, inmate handbooks and information posted next to the inmate phones in the housing areas verified the inmates have multiple internal ways to report incidents of abuse or harassment. The auditor tested the numbers posted during the tour. Inmates can report verbally and in writing to staff; a 24 hour toll free hotline to Crossroads Correctional Center staff; a 1-800 number to the Toole County Department of Public Safety; an anonymous letter to the Warden through a drop box in the facility; write the CCA Managing Director for Facility Operations; Montana inmates can write the Montana Department of Corrections; and U.S. Marshall inmates can write

to US Marshall Field Office Director or call the U.S. Marshall Service Office of the Inspector General. Through an MOU, inmates can also contact by using a 1-800 number to the Hi-Line Help for Abused Spouses as a second public or private entity or office that is not part of the agency, 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. These reporting systems were demonstrated through interviews of inmates, staff and review of policies, inmate handbooks and posters demonstrate these inmate reporting systems. The auditor during the tour tested the numbers listed in the housing units. The auditor did talk to staff at Hi-Line Help for Abused Spouses who confirmed they would take and forward reports along with provide victim advocates over the phone and in person to provide emotional support. Additionally, inmates or their family members/friends can contact the CCA Managing Director for Facility Operations, and U.S. Marshall inmates can write to US Marshall Field Office Director or Office of the Inspector General. CCA website provides information for third party reporting.

CCA/Crossroads Correctional Center Policy 14-2 and staff fliers provide information on PREA to include ways for staff to privately report sexual abuse and sexual harassment of inmates. During interviews some of the staff knew they could privately report sexual abuse and harassment of inmates.

Staff accepts reports made verbally, in writing, anonymously, and from third parties, and are promptly documented any verbal reports. During interviews some of the staff knew they could privately report sexual abuse and harassment of inmates to the CCA Ethics and Compliance hotline.

Inmates incarcerated in Crossroads Correctional Center are encouraged to immediately report allegations of sexual abuse and sexual harassment. During the interviews, some inmates said they would not report an incident of sexual abuse if they observed it. They stated it was not their business and would stay out of it. Others said they would take care of the abuser through other means. It should be noted none stated they would not report because they did not trust the system. All but one allegation was reported by inmates to staff.

§115.52 – Exhaustion of Administrative Remedies

☐ Exceeds Standard (substantially exceeds requirement of standard)

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

☐ Does Not Meet Standard (requires corrective action)

X Not Applicable

Crossroads Correctional Center does not have an administrative process to address inmate grievances regarding sexual abuse. All PREA allegations are processed through

the investigative process in accordance with CCA/Crossroads Correctional Center Policy 14-2.

§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)

CCA/Crossroads Correctional Center Policy 14-2 states inmates shall be provided 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 where available, of local, State, or national victim advocacy or rape crisis organizations; and the facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. Crossroads Correctional Center has a MOU with Hi-Line Help for Abused Spouses to provide inmates access to outside confidential support services through a toll free hot line. Posters with the information are posted mainly in the housing units, but also others areas of the facility. Inmate interviews confirmed a few inmates knew of the confidential support services provided, most knew there was a service available but not exactly what was provided based on they did not need or believed they would not need the specific information.

The auditor tested the numbers listed in the housing units during the tour. The auditor did talk to staff at Hi-Line Help for Abused Spouses who confirmed they would take and forward reports along with provide victim advocates over the phone and in person to provide emotional support.

§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)

CCA/Crossroads Correctional Center Policy 14-2 outlines CCA and the Crossroads Correctional Center methods to receive third party reports of sexual abuse and sexual harassment. CCA has a PREA section on their web site, and the PREA section is easily accessible. On the PREA page there is a section that specifically addresses how inmates and others can report to include third party. It provides a phone number to the

National Sexual Assault Hotline and CCA's Ethics and Compliance Helpline; along with information to write to the Warden at the facility. It has on line section that allows an individual to file a report or get an update on a report on line. It also states "It is not required that any personal information be provided. However, the more information that can be provided regarding dates, times, locations, witnesses, and as much detail about the alleged incident as is known serves to assist staff and law enforcement in their efforts to successfully conduct the investigations." Information is also provided in the inmate PREA handout that provides the inmates a telephone number to make third party reports, along with numbers to tell family and friends to make third party reports. Interview of inmates demonstrated they knew how third party reporting could be accomplished.

Family members or other individuals may report verbally or in writing any time they have knowledge or suspect an inmate has been sexually abused, sexually harassed or requires protection. Inmates, when interviewed, were aware of this method of reporting. Information for outside parties to report allegations of abuse on behalf of an inmate are available on the CCA website. No third party reports were done in last 12 months.

§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)

CCA/Crossroads Correctional Center Policy 14-2 require all staff to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or harassment; and for staff not to reveal any information related to a sexual abuse report to anyone other than extent necessary. Health practitioners are required to report sexual abuse and to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services. The facility reports all allegations of sexual abuse and sexual harassment, including third party and anonymous reports, to the facility investigator. Review of investigative files; and interviews of staff and inmates verified staff immediately report to the facility's designated investigator any knowledge, suspicion, or information regarding an incident of sexual abuse or harassment; and that staff does not reveal information related to a sexual abuse report other than to people authorize to discuss the report. Health practitioners during interviews stated they are required and would report sexual abuse. Random interviews with staff revealed that staff is very aware of their responsibilities to report incidents of sexual abuse or harassment to the investigator or their supervisor and know not to reveal any information about a sexual abuse incident to other staff. Interviews with inmates and staff did not reveal any incident of sexual abuse or harassment not reported to the facility's designated investigator. If the alleged victim is considered a vulnerable adult under a State or local vulnerable person's statute,

Crossroads Correctional Center shall report the allegation to the Toole County Department of Public Safety.

§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)

CCA/Crossroads Correctional Center Policy 14-2 requires staff to take immediate action to protect any inmate they learn is subject to substantial risk. Interviews with staff demonstrate they know the steps to take to protect an inmate subject to risk of imminent sexual abuse. Security staff immediately employs protection measures as the information is passed to the Investigator, PREA Compliance Manager and Warden. The Warden, PREA Compliance Manager, and investigator confirmed there have been no incidents in the past 12 months, where it was necessary for the facility to take any action in regards to an inmate being at substantial risk of sexual abuse.

§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)

CCA/Crossroads Correctional Center Policy 14-2 requires when an allegation that an inmate was sexually abused while confined at another facility, the Warden that received the allegation shall notify the Warden where the alleged abuse occurred within 72 hours after receiving the allegation; that all sexual abuse allegations reported by another facility regarding any inmate that was confined at the Crossroads Correctional Center be fully investigated. Interviews with the Warden, PREA Compliance Manager, and investigator confirmed their knowledge of the policies and responsibilities to report any allegations and investigate any allegations that may have occurred at Crossroads Correctional Center. The Warden he would call first and then follow up with an email to document providing the information. There were no reports of a sexual abuse allegation at Crossroads Correctional Center by an inmate at another facility; and no inmates reported being sexually abused while at another facility.

§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)

CCA/Crossroads Correctional Center Policy 14-2 outlines procedures to respond to an allegation of sexual abuse for both security and non-security staff. CCA has a Sexual Abuse Incident Check Sheet that is a very good guide to follow to ensure all PREA procedures and steps are followed. It is completed and sent to CCA headquarters as part of the packet the headquarters receives on all allegations. Random interviews with staff confirm both security and non-security staff knew what to do upon learning an inmate was sexually abused to include separating the alleged victim and abuser; how to preserve the crime scene; and what actions inmates should not take in order not to destroy physical evidence. Good training has prepared the staff to properly respond. Review of investigations further demonstrated staff knew what to do as the first responders to allegations of sexual abuse. There were no allegations that resulted in an inmate receiving a forensic exam, one inmate declined a forensic exam offer from medical staff. First responders were always security staff in the three allegations during the cycle.

§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)

CCA/Crossroads Correctional Center Policy 14-2 and CCA/Crossroads Correctional Center Policy 13-79 Sexual Assault Response serves as Crossroads Correctional Center institutional plan to coordinate actions taken in response to an incident of sexual abuse, amongst staff first responders, medical and mental health practitioners, investigators, and facility leadership. The plan also includes a Sexual Abuse Incident Checklists. Interviews with staff (first responders, medical and mental health practitioners, investigators, and facility leadership), and review of the Sexual Abuse Incident Checklists, investigative and medical files confirmed staff were knowledgeable about the PREA plan and the coordinated duties and collaborative responsibilities. Additional to the investigations during the cycle, Crossroads Correctional Center also provided a Sexual Abuse Incident Checklists from a case from Dec 2013 to further demonstrate the coordinated response in addition to the ones during the audit cycle.

§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)

CCA/Crossroads Correctional Center Policy 14-2 outlines

Crossroads Correctional Center has no collective bargaining agreements. Crossroads Correctional Center does as a matter of policy separate staff and inmates pending the outcome of the investigation. There are no restrictions to keep the agency from not disciplining employees up to and including termination.

§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)

CCA/Crossroads Correctional Center Policy 14-2 outlines the policy and procedures for monitoring staff and inmates against retaliation. It includes designating which staff members or departments are charged with monitoring retaliation; employing multiple protection measures; monitoring 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 conducting periodic status checks through interviews at least every 30 days. Crossroads Correctional Center designated the classification supervisor to monitor staff and inmates. Two examples of monitoring of staff was provided prior to the audit demonstrating the monitoring of the staff was being conducted mainly by the classification supervisor, but occasionally by the investigator. The CCA monitoring form is the same for an inmate and employee. For at least 90 days following a report of sexual abuse, Crossroads Correctional Center meets with the inmate or staff and monitors the conduct and treatment of inmates 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.

Interviews of the Warden, PREA Compliance Manager, monitor, and inmates demonstrated monitoring was being conducted. Crossroads Correctional Center uses 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 who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

§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)

CCA/Crossroads Correctional Center Policy 14-2 states involuntary segregated housing for inmates who have alleged to have suffered sexual abuse may be used only after an assessment of all available housing alternatives has shown there are no other means of protecting the inmate; and use of protective custody to protect alleged victim is only used as a last resort for a very short time. If placed in segregated housing involuntarily they shall have access to programs, privileges, education, and work opportunities to the extent possible; and that the facility shall document any access to programs, privileges, education, or work opportunities that was restricted and that every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population. There were no inmates who have alleged to have suffered sexual abuse in protective custody during the audit. Interviews of the Warden, PREA Compliance Manager, and inmates, there were no instances of using segregation housing to protect inmates who had alleged to have been sexually abused in the last 12 months.

§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)

Based on review of CCA/Crossroads Correctional Center Policy 14-2; the three PREA investigations; interviews of Crossroads Correctional Center Warden, PREA Compliance Manager; and investigator it was determined investigations into allegations of sexual abuse and sexual harassment are done promptly, thoroughly, and objectively for all allegations. Crossroads Correctional Center conducts administrative investigations and Toole County Department of Public Safety conducts criminal investigations. The agency's policy regarding referral of allegations of sexual abuse and sexual harassment for criminal investigation are available on the CCA website. Previous Crossroads Correctional Center investigators had received special training in sexual abuse

investigations; the current investigator does not (115.71(b)). The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and not determined by the person's status as inmate or staff. Neither CCA nor Crossroads Correctional Center require 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. Investigators interview victims and witnesses; review camera, phone call monitoring, physical evidence, DNA evidence, and inmate records. The departure of the alleged abuser or victim from the employment or control of the CCA nor Crossroads Correctional Center does not provide a basis for terminating an investigation. Two of the investigations continued after a contractor was terminated and an employee resigned.

Investigation files were organized and properly documented. Established CCA forms are very good and are a good guide for the investigator to follow when conducting an investigation. It includes sections for a description of the incident; who is involved; health services actions; types of evidence collected and reviewed; notifications made; etc. Administrative and criminal investigations are documented in written reports. Written reports are maintained as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

There were three allegations of a sexual abuse at Crossroads Correctional Center during the audit cycle. All three had administrative investigations; two were forwarded to Toole County Department of Public Safety for criminal investigations and prosecution as applicable. All three were staff sexual abuse. The auditor reviewed each administrative investigation file. The criminal cases were briefed as still pending. Two cases were determined to be substantiated (those are the ones pending criminal investigations) and one allegation was determined to be unsubstantiated. There was an investigation recently opened during the audit in reference to a sexual assault during a pat down search. The auditor talked to both PREA Compliance Manager and the inmate.

The current investigator has not received the basic training and the PREA Coordinator coordinated for him to attend the upcoming PREA investigator training in late August. The current investigator completed his PREA Investigator training on August 21st.

§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)

A review of CCA/Crossroads Correctional Center Policy 14-2 and investigations; and interviews with the investigator and administrative staff confirm the Crossroads Correctional Center has no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. When the investigator was asked what standard of evidence was used in determining if an allegation is substantiated, the agencies policy was recited confirming compliance with the standard. The four investigations reviewed (three in the audit cycle, one outside the audit cycle) confirmed no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

§115.73 – Reporting to Inmate

☐ Exceeds Standard (substantially exceeds requirement of standard)

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)

A review of CCA/Crossroads Correctional Center Policy 14-2, a review of the three investigations completed, interviews of staff, and notification memorandums indicated that inmate were informed of the outcome of the investigations whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. If the allegation of sexual abuse was by a staff member (except if unfounded), the inmate is informed of the status of the staff member in writing to include whenever: the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at the facility; the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility. If the inmate was alleged to have been sexually abused by another inmate, Crossroads Correctional Center informs the alleged victim whenever: the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or been convicted on a charge related to sexual abuse within the facility. CCA has set forms to complete the notifications. In two cases the inmate was transferred to another facility. Interview of inmates and review of notification forms confirmed the Crossroads Correctional Center in 2014 started to inform the inmate of the results of the investigation and any applicable action taken. In two cases the inmates were transferred and were not provided the results, and in one case the inmate refused to sign. As part of the corrective action plan the auditor requested copies of the investigative packets which includes the notifications for the two cases that were being investigated. The last was provided on September 2nd.

§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)

Per CCA/Crossroads Correctional Center Policy 14-2, CCA/Crossroads Correctional Center Policy 3-3 Code of Conduct and CCA Code of Conduct Handbook; and interviews with Crossroads Correctional Center staff, staff are subject to disciplinary sanctions for violating agency sexual abuse or sexual harassment policies; termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse; and disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be 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. In the past 12 months there has been no staff disciplinary action due to violation of the agency's sexual abuse and sexual harassment policy. In the one substantiated case of sexual abuse, the correctional officer resigned. This case was referred to Toole County Department of Public Safety for criminal investigation. The only other substantiated case involved a contractor.

§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)

Per CCA/Crossroads Correctional Center Policy 14-2, CCA/Crossroads Correctional Center Policy 3-3 Code of Conduct and CCA Code of Conduct Handbook; and interviews with Crossroads Correctional Center staff, contractors, and volunteers; contractors or volunteers are prohibited from engaging in sexual abuse, and those that do are prohibited to have contact with inmates and requires they be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. In the past 12 months, one contractor was terminated when the administrative investigation was completed, and the allegation was case was substantiated. Additionally it was referred to Toole County Department of Public Safety for criminal investigation and prosecution if applicable. Interviews with contractors and volunteers confirmed they knew the punishment for engaging in sexual abuse or sexual harassment of inmates.

§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)

Per CCA/Crossroads Correctional Center Policy 14-2 and interviews with Crossroads Correctional Center staff, inmates are subject to disciplinary sanctions 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; and considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior. TDCJ prohibit all sexual activity between inmates to include consensual and discipline inmates for such activity, but does not consider it sexual abuse. In the past 12 months there have been no incidents of sexual abuse or harassment by an inmate and thus no disciplinary sanctions imposed on inmates during the past 12 months for violation of the zero tolerance policy.

§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)

Per CCA/Crossroads Correctional Center Policy 14-2, and CCA/Crossroads Correctional Center Policy 13-61 Mental Health Services requires all new inmates receive a PREA screen upon arrival, along with a medical and mental health screen. If any of these identify someone as having experienced prior sexual victimization or previously perpetrated sexual abuse, whether in a prison/jail setting or in the community, they will be offered a medical and mental health follow-up meeting within 14 days. Prior to the audit, the audit reviewed two referrals within two days of the PREA screen. During the audit, through the review of additional PREA screens and medical and mental health records it was determined inmates who reported prior sexual victimization or previously perpetrated sexual abuse were offered consults with medical and mental health practitioners within 14 days of the screen. The auditor reviewed four referrals to mental health are made as warranted in response to the inmate's disclosures. Interviews of medical and mental health staff confirmed follow-up meetings would be

scheduled and conducted; and any information related to sexual victimization or abusiveness that occurred in the facility 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. CCA/Crossroads Correctional Center Policy 13-74 Privacy of Protected Health Services covered control information related to medical and mental health records.

§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)

Review of CCA/Crossroads Correctional Center Policy 14-2 and interviews with staff confirm inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services from medical and mental health staff. If alleged sexual abuse occurred within 72 hours, security escorts the victim to medical department for medical staff to assess and stabilize while awaiting transfer to hospital for a forensic exam. Also while waiting mental health staff conducts an evaluation for suicidal ideation and on-going counseling. CCA has a very good checklist of steps to follow. Interview with the Health Services Administrator and medical staff confirmed this practice and that the requirements of this standard are adhered to. Treatment is provided to the victim without financial costs and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. None of the allegations resulted in an inmate receiving a forensic exam (refused or outside the window), but the inmates were seen by both medical and mental health staff, evaluated and provided information.

§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)

CCA/Crossroads Correctional Center Policy 14-2 and CCA/Crossroads Correctional Center Policy 13-79 "Sexual Assault Response" demonstrate there is on-going medical and mental health care for sexual abuse victims and abusers. Medical and mental

health conducts follow-up care for sexual abuse incidents. Crossroads Correctional Center would provide 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 is at no costs to the inmates and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Through interviews of mental health staff and review of mental health records of two known inmate on inmate abusers, it was determined mental health evaluations are conducted on all known inmate on inmate abusers no later than ten business days after notification. Crossroads Correctional Center is a male facility and thus non-applicable 115.83 (d) and (e) which deals with pregnancy testing and medical services.

§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)

CCA/Crossroads Correctional Center Policy 14-2 identifies the minimum members of the review team, and covers the process for sexual abuse incident reviews to include a form the review team uses that addresses 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 the facility; whether physical barriers in the area may enable abuse; the adequacy of staffing levels in that area during different shifts; and whether monitoring technology should be deployed or augmented to supplement supervision by staff. The auditor reviewed three incident reviews. One incident review (unsubstantiated allegation) was thorough in identifying causes and better policies to better prevent and detect sexual abuse which was implemented. Incident review team members were interviewed and were very knowledgeable of the process.

§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)

CCA/Crossroads Correctional Center Policy 14-2 requires the collection of uniform data that provides the minimum data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. CCA collects accurate uniform data for every allegation of sexual abuse at facilities under its control using a standardized instrument (Incident Reporting Tracking System). The policy requires information is entered in the Incident Reporting Tracking System on all allegations. The system allows the agency to prepare an annual PREA report, monitor trends, and take corrective action, and the facility submit the annual DOJ Survey of Sexual Violence (if requested). Review of previous DoJ Survey of Sexual Violence reports, annual agency PREA reports, and data submitted by the facility demonstrated the agency collects uniform data to be used by CCA. CCA does not contract its inmates to other facilities (115.87 (e)). The 2014 report showed Crossroads Correctional Center one unsubstantiated inmate on inmate sexual abuse; one substantiated and four unsubstantiated staff on inmate sexual abuse; and no sexual harassment cases.

§115.88 – Data Review for Corrective Action

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)

CCA/Crossroads Correctional Center Policy 14-2 requires the agency to review all of the data collected from all its facilities and aggregates that data annually to assess and improve the effectiveness of its sexual abuse program and practices. Based on interviews with the PREA Compliance manager, PREA Coordinator and review of the CCA website, CCA reviews the data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies; and to identify problem areas and take corrective actions. An annual report is published and posted on the CCA website. The 2014 annual report was thorough, provided corrective measures taken and addressed the agency progress in addressing sexual abuse. The 2014 Annual Report noted 14 facilities were audited and was found to be in compliance with the National PREA standards. It also highlighted reinforcing the knock and announce standard by placing "Opposite Gender Must Announce Upon Entry" stickers at the entry to all inmate housing units, which was observed at Crossroads Correctional Center. The report includes a comparison of the current year's data and with the previous year's data. The 2014 report showed Crossroads Correctional Center one unsubstantiated inmate on inmate sexual abuse; one substantiated and four unsubstantiated staff on inmate sexual abuse; and no sexual harassment cases.

The CCA website is the most informative and one of the easiest to find PREA information of all agencies this auditor has audited. CCA PREA page lists: general information on PREA; agency zero tolerance policy; how to report; information on investigations; and where questions and inquiries can be forwarded to (PREA

Coordinator phone and mailing address). It also has a number of links to include: PREA standards; PREA Resource Center website; CCA PREA policy; CCA 2013 and 2014 PREA Report; and CCA Facility PREA information. The CCA Facility PREA information link lists each CCA facility with information on that facility's PREA Compliance Manager; third party reporting methods; PREA policy; PREA audit dates; and PREA audit reports if completed and posted.

§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)

CCA/Crossroads Correctional Center Policy 14-2, review of the CCA website, and interviews of staff it is determined data is properly stored, maintained and secured. Access to data is controlled. Aggregate data on all its facilities is available to the public through its website. All CCA facility 2013 and 2014 data is in the annual report and posted on the website. CCA maintains sexual abuse data collected pursuant to §115.87 for at least 10 years after the date of the initial collection in accordance with the CCA Retention Records Schedule. Before making aggregated sexual abuse data publicly available, CCA removes all personal identifiers.

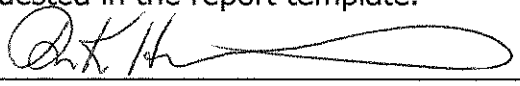
AUDITOR CERTIFICATION:

I certify that

X The contents of the report are accurate to the best of my knowledge

X No conflict of interest exists with respect to my ability to conduct an audit of the agency under review

X I have not included in the final report any personally identifiable information about any offender or staff member, except where the names of administrative personnel are specifically requested in the report template.



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Auditor Signature Date