

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

Interim Final Report

Auditor Information

Auditor name: Rodney P. Bivens
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Telephone number: 865-659-2424
Date of facility visit: May 16-18, 2016
Date report submitted: June 18, 2016

Facility Information

Name of facility: Torrance County Detention Facility
Physical address: 209 E. Alan Ayers Road, Estancia, New Mexico 87016
Facility mailing address: (if different from above) P.O. Box 837, Estancia, New Mexico 87016
Telephone number: (505) 384-2711

The facility is:

<input type="checkbox"/> Military	<input type="checkbox"/> County	<input type="checkbox"/> Federal
<input checked="" type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
<input type="checkbox"/> Private not for profit		

Facility Type: Jail Prison

Name of facility's Chief Executive Officer: Chad Miller **Title:** Warden
Number of staff assigned to the facility in the last 12 months: 210
Designed facility capacity: 910
Current population of facility: 597
Facility security levels/inmate custody levels: Medium Security/Low, Medium, and High Custody
Age range of the population: 18-69
Name of PREA Compliance Manager: Rhonda Gonzales **Title:** Chief of Unit Management
Email address: rhonda.gonzales@cca.com **Telephone number:** (505) 384-2711 ext. 22003

Agency Information

Name of agency: Corrections Corporation of America
Governing authority or parent agency: (if applicable) N/A
Physical address: 10 Burton Hills Boulevard, Nashville, TN 37215
Mailing address: (if different from above) N/A
Telephone number: 615-263-3000

Agency Chief Executive Officer

Name: Damon Hininger **Title:** President and Chief Executive Officer
Email address: damon.hininger@cca.com **Telephone number:** (615) 263-3301

Agency-Wide PREA Coordinator

Name: Lisa Hollingsworth **Title:** Senior Director PREA Programs and Compliance
Email address: lisa.hollingsworth@cca.com **Telephone number:** (615) 263-6915

AUDIT FINDINGS

NARRATIVE:

The onsite PREA audit of the Corrections Corporation of America - Torrance County Detention Facility in Estancia, New Mexico was conducted May 16-18, 2016 by Department of Justice Certified PREA Auditor Rodney P. Bivens, assisted by Brian D. Bivens who has completed the Department of Justice PREA auditor certification class and is awaiting final certification. The auditor wishes to extend his deepest appreciation to Warden Chad Miller and his staff for their professionalism, hospitality, and kindness. The auditor also wishes to compliment the Corrections Corporation of America's PREA Coordinator Lisa Hollingsworth and the facility PREA Compliance Manager Rhonda Gonzales for their outstanding work in organizing the files that were provided to the auditor in advance of the audit. This enabled the audit to move forward very efficiently.

Prior to this audit the facility provided to the auditor all policies, procedures, and facility documentation related to each standard for review. The auditor and the PREA Coordinator had ongoing communication for several weeks prior to the audit to prepare for the on-site visit. The facility supplied a list of inmate names sorted by housing units, disabilities, and special designations, as well as a list of facility staff names to the auditor. From these lists the auditor selected, at random, a sampling of inmates and staff to be interviewed during the on-site visit. Due to the size of this facility the sampling size for both inmates and staff was elevated to ensure consistency in training and implementation of the PREA standards. The sampling size for inmates included at least one inmate from each individualized housing unit pod. This decision was made to ensure all inmates throughout the facility were receiving the same information and education related to all aspects of the PREA program.

The on-site audit began with an entrance meeting being conducted on Monday, May 16, 2016 at 8:25 a.m. in the administration conference room. The following staff attended the entrance meeting:

Warden Chad Miller
Mitch Bradshaw, Chief of Security
Rhonda Gonzales, Chief of Unit Management
Sofia Segura, Quality Assurance Manager

Following the entrance meeting, the auditor conducted a comprehensive site review that began at approximately 8:45 a.m. and continued throughout the two days. During the site review the auditor reviewed camera placement, blind spots, staff placement, and documentation to assist in determining standard compliance. While touring the facilities the auditor observed the notices of this PREA audit in all the buildings, as well as posters that called attention to the agency's Zero Tolerance Policy and how to report allegations of sexual abuse and sexual harassment. Random staff and inmate interviews were conducted in private offices provided at each housing unit during the site review as well. The following staff accompanied the auditor on the site review:

Warden Chad Miller
Mitch Bradshaw, Chief of Security
Rhonda Gonzales, Chief of Unit Management
Sofia Segura, Quality Assurance Manager

All housing units, day rooms, inmate program areas, work areas, and all other inmate accessible areas were toured during the site review. 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.

A total of 43 staff members were interviewed during the course of this audit. Staff interviews consisted of: 12 randomly selected correctional security staff members covering all shifts, 2 volunteers, 3 contract employees, 4 intermediate or higher level supervisors, 16 specialized staff members, and 6 employees informally selected during the facility tour. All staff interviewed were well versed in their respective areas of responsibility regarding PREA and affirmed compliance with the applicable PREA standards. There is no SAFE or SANE staff at the facility; they are made available at the University of New Mexico in Albuquerque, New Mexico. Staff interviewed were well versed as well in their responsibilities regarding procedures for reporting sexual abuse, sexual harassment, staff negligence, and retaliation for reporting. When questioned about evidence preservation, all staff responses reflected knowledge of agency policies and procedures.

There were 26 inmates interviewed during the on-site visit. These inmates consisted of: 16 inmates selected at random and 10 informally selected during the facility tour. There were 5 of the 16 inmates selected at random requiring specialized interviews broken down as follows: 4 limited English proficient inmates and 1 inmate that had reported an incident of sexual abuse. All of the Inmates interviewed acknowledged receiving PREA training and written materials (posters, pamphlets, and inmate handbooks) outlining the agencies zero tolerance policies towards sexual abuse, sexual harassment, and retaliation for reporting, as well as the procedures for reporting. The limited English proficient inmates interviewed confirmed receiving the PREA training and written materials in a language they could understand. All inmates interviewed felt if they had to file a PREA complaint the facility would respond appropriately to their complaint and that all PREA complaints were taken very serious by staff at this facility.

The auditor selected and carefully examined 12 personnel files, 10 staff training files, and 3 volunteer files. The personnel and volunteer files were very well organized and contained all the necessary background check information and signed statements regarding previous sexual misconduct described in the standards. The training records were also very complete and included written documentation that staff and volunteers received the required training and understood what was being trained.

The auditor also reviewed 15 offender files and saw documentation of offender education, as well as documentation of the initial risk screenings, the 30-day re-screenings, and screenings upon additional information being completed as required by the standard.

In the twelve months preceding the audit, Corrections Corporation of America - Torrance County Detention Facility had received and investigated a total of three PREA complaints broken down as follows:

<u>Number Received</u>	<u>Description of Complaint</u>	<u>Offender</u>	<u>Investigative Results</u>
3	Sexual Abuse (Contact and/or Penetration)	Staff	2 Unsubstantiated 1 Substantiated

All investigative files were reviewed during the onsite visit and appeared to document thoroughly the investigative process per agency policy. Criminal investigative referrals were documented and proper referrals were made when warranted. During the interview with an inmate that had reported an incident of sexual abuse, she reported that PREA violations weren't taken serious or investigated properly in her opinion. However, investigative documentation maintained on the incident as well as staff interviews revealed that proper procedures were followed and the case was determined unsubstantiated. The inmate did affirmatively report being kept informed during the investigative process but was very agitated with the investigative findings.

All other investigative files the auditor reviewed during the onsite visit appeared to thoroughly document the investigation process per agency policy as well. All sexual abuse cases warranting a criminal investigation were referred to the Estancia Police Department who is responsible for investigating each case for potential criminal activity. During the past twelve months there was one case substantiated resulting in a referral for criminal investigation.

At the conclusion of the on-site visit an exit meeting was held to discuss the audit findings. The following people were in attendance:

Warden Chad Miller
Mitch Bradshaw, Chief of Security
Rhonda Gonzales, Chief of Unit Management
Sofia Segura, Quality Assurance Manager

During the exit meeting the auditor explained the process that would follow the on-site visit. The auditor also explained that all areas found to not meet the standards during the on-site visit must be corrected and he would be working closely with the PREA team to accomplish compliance. Finally, the auditor acknowledged the willingness of all staff involved to accomplish PREA compliance and advised the PREA team of their requirements to post the final report on the facility website once compliance with all standards was achieved.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The Corrections Corporation of America - Torrance County Detention Facility is located 57 miles southwest of Albuquerque and 69 miles south of Santa Fe. The facility is a medium security, multi-jurisdictional facility located in Estancia, New Mexico. The facility is owned and operated by the Corrections Corporation of America and encompasses a total of 16 acres within the secure perimeter and an additional 624 acres surrounding the facility.

Design and architectural plans for the Detention Facility was approved in 1987 and the facility opened and received its first inmates in December 1990, the designed capacity of the facility

was originally 286. A multipurpose gym was added in 1994, and then in March 1997 a 300 double celled expansion began. In September 2013, construction began to create what is now unit 9, originally built to hold 200 additional female inmates, to assist Bernalillo County. This unit is currently closed awaiting potential new government partners. The Corrections Corporation of America - Torrance County Detention Facility is now a 216,000 square foot facility, with a rated capacity of 910.

Corrections Corporation of America - Torrance County Detention Facility provides services to the Torrance County Sheriff's Office, United States Marshal's Services, Justice Prisoner Alien Transport System, and the Bureau of Immigration and Customs Enforcement. The facility operates through an Inter-Governmental Agreement with Torrance County to house offenders from these agencies. Torrance County Detention Facility promotes the Unit Management Philosophy. Unit Management provides a decentralized management structure that allows specific unit teams to collectively make decisions that are best for the inmates.

All staff at this facility undergo training prior to assuming a job post and then annually thereafter. All new full-time/part-time professional and supportive employees, including contractors, receive a minimum of one hundred sixty (160) hours of orientation before undertaking their assignments. In addition to orientation, staff receive an additional forty (40) hours of on-the-job training. All Health Service Professionals complete training that is appropriate to their individual assignments and specialty training concerning PREA.

The Corrections Corporation of America - Torrance County Detention Facility's stated mission is: "Provide a safe and secure environment for our employees, community, and inmates. We strive to accomplish this through the dedication of motivated-trained professionals with focus on integrity, teamwork, and accountability. It is our mission to operate the highest quality adult corrections facility in the United States while cooperating with local authorities and the community, while providing opportunities for enhancement of the quality of life for those incarcerated here". Corrections Corporation of America values are "having PRIDE in all we do". It was evident the staff at the Corrections Corporation of America's - Torrance County Detention Facility were committed to excellence in corrections, by providing a dedicated team of professionals whose focus is on the enhancement of the quality of life through self-improvement opportunities for the inmates entrusted to their care.

SUMMARY OF AUDIT FINDINGS:

The results of the Corrections Corporation of America - Torrance County Detention Facility PREA audit are 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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

115.11 (a) The Corrections Corporation of America - Torrance County Detention Facility staff follows the Corrections Corporation of America PREA policy 14-2 which mandates a zero tolerance for all forms of sexual abuse and sexual harassment. This policy outlines the agency's approach to preventing, detecting, and responding to such conduct. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.11 (B) and (C) The agency employs an upper-level, agency-wide PREA Coordinator. PREA policy 14-2 pages 1 and 2 outlines the responsibilities of the PREA Coordinator and the PREA Compliance Manager. Mrs. Lisa Hollingsworth is the agency-wide PREA Coordinator at Corrections Corporation of America - Torrance County Detention Facility. Lisa was appointed as the agency-wide PREA Coordinator on May 06, 2014 and was assisted by PREA Compliance Manager Rhonda Gonzales during this audit. The facility provided the auditor with the organizational chart showing the PREA Coordinator position as an upper-level, agency-wide position. Lisa is very knowledgeable of the PREA standards and actively assists the facility with compliance. Mrs. Hollingsworth has the authority to develop, implement, and oversee PREA compliance. She is actively updating the facility as new Frequently Ask Questions (FAQ's) results are published on the PREA Resource Center website.

During interviews with the PREA Coordinator and the PREA Compliance Manager, both indicated they had sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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 Standard

Based on the documentation provided as well as staff interviews it was determined the Corrections Corporation of America - Torrance County Detention Facility does not contract with other facilities to house inmates assigned to their custody. Therefore, this standard was found to be non-applicable to this facility during this audit.

§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)

Based on staff interviews, review of documentation provided and review of Corrections Corporation of America - Torrance County Detention Facility PREA policy, 14-2, pages 8, 9 and 10, sections D and E. The following delineates the audit findings regarding this standard:

115.13 (a) The facility has documented and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing as described and required by this standard. The established staffing plan uses the criteria found in the standard 115.13 (a) to include the physical layout of the facility, composition of the residents housed, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors identified. Video monitoring has been deployed to assist with the protection of offenders against sexual abuse at this facility. The staffing levels are monitored daily by review of shift rosters. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.13 (b) The facility has procedures in place to ensure all deviations are covered by overtime or notification must be documented on "Notice to Administration" form 5-1B and submitted to the Warden outlining the reason(s) for the deviation. There has been one deviation reported where the staffing plan had not been complied with in the past twelve months, as confirmed by written documentation and during interview with the Warden. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.13 (c) The staffing plan is reviewed annually by the PREA Manager and forwarded to the PREA Coordinator and Warden for review. 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 levels. The last Annual Staffing Plan assessment was completed on July 27, 2015. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.13 (d) Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section E on pages 9 and 10, staff interviews, and documentation provided. Intermediate-level or higher-level supervisors are required to conduct and are documenting UNANNOUNCED rounds on all shifts as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.14 – Youthful Inmates

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

Based on the documentation provided and staff interviews, Corrections Corporation of America - Torrance County Detention Facility is an all adult facility and does not house youthful offenders. Therefore, this standard was found to be non-applicable to this facility during this audit.

§115.15 – Limits to Cross-Gender Viewing and Searches

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

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section K, pages 15 and 16, training curriculums, staff interviews, training file reviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.15 (a) Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section K on pages 15 and 16 outlines offender searches including searches of transgender and intersex offenders. The review of training curriculums and staff interviews revealed cross gender strip searches are prohibited except in exigent circumstances and must be documented on "Notice to Administration" form 5-1B when conducted. There have been no documented cross-gender visual body cavity or strip searches reported in the past 12 months. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (b) Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section K, 1, b on page 16 prohibits male employees from frisk/pat searches of female inmates/residents except in exigent circumstances. Staff interviews confirmed knowledge and compliance with this directive of policy. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (c) Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section K on pages 15 and 16 prohibits frisk/pat searches of the

female inmates by male staff and requires that all cross-gender searches in exigent circumstances be documented on the "Notice to Administration" form 5-1B. There have been no documented cross-gender searches reported during the past 12 months confirmed by administrative staff interviews. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (d) Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section K on pages 15 and 16 outlines that inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia. The inmates confirmed during interviews they have privacy when showering, using the toilets and while changing their clothes. Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section K on pages 15 and 16 also requires staff of the opposite gender to announce their presence prior to entering the housing units. Inmate and staff interviews revealed that opposite gender announcements were common practice at this facility and reminders of this requirement are posted on the entry doors of all housing units exceeding the requirements of this part of the standard during this audit.

115.15 (e) Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section K on pages 15 and 16, training curriculum provided and staff interviews the facility prohibits staff from physically examining transgender or intersex inmates for the sole purpose of determining genital status. If the inmate's genital status is unknown, it is determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.15 (f) Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section K on pages 15 and 16, training curriculum provided, staff training file reviews, and staff interviews the facility trains security staff 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient

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

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, pages 13 and 14, section I, review of the lesson plans, and review of Language Line contract, as well as staff and inmate interviews. The following delineates the audit findings regarding this standard:

115.16 (a) The Corrections Corporation of America - Torrance County Detention Facility PPEA policy 14-2 mandates the agency to take appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. PREA handouts, PREA posting, PREA education video, and the resident handbook is provided in both English and Spanish. A TTY phone is available at this facility. During the on-site visit there were no deaf or hard of hearing inmates identified during intake screening at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.16 (b) The Corrections Corporation of America - Torrance County Detention Facility PREA policy mandates the agency to take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively accurately and impartially. Language Line Interpreter Services and/or staff interpreters are used to translate at this facility. There were four Spanish speaking inmates interviewed during the on-site visit and they confirmed during interviews receiving all written PREA information and viewing the Spanish version of the Corrections Corporation of America PREA DVD. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.16 (c) Corrections Corporation of America - Torrance County Detention Facility does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. During this audit cycle there were no instances where an inmate interpreter had to be utilized. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.17 – Hiring and Promotion Decisions

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

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section B, pages 5 and 6, Human Resource staff

interviews, and personnel file reviews. The following delineates the audit findings regarding this standard:

115.17 (a) Corrections Corporation of America - Torrance County Detention Facility does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor or volunteer who may have contact with inmates, who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. The facility completes a "Correction Corporation of America PREA Self-Declaration" 14-2H form on all applicants as well as a background check is completed by the Torrance County Sheriff's Office on all new applicants confirming compliance. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (b) Corrections Corporation of America - Torrance County Detention Facility considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor or volunteer, who may have contact with inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (c)-1 Corrections Corporation of America - Torrance County Detention Facility requires a criminal background records check be completed before hiring any new employee. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

(c)-2 Corrections Corporation of America - Torrance County Detention Facility makes their best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegation of sexual abuse. This request is documented on Corrections Corporation of America's "Verification of Prior Employment" form 3-20-2A. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (d) Corrections Corporation of America - Torrance County Detention Facility requires a criminal background records check be completed before enlisting the services of any contractor or volunteer who may have contact with the inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (e) Corrections Corporation of America - Torrance County Detention Facility requires a criminal background records check be completed on all current employees, volunteers, and contractors at least every five years. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (f) Corrections Corporation of America - Torrance County Detention Facility instills upon all employees a continuing affirmative duty to disclose any sexual misconduct as required by this standard. A Corrections Corporation of America's "Self-Declaration of Sexual Abuse/Sexual Harassment" form 14-2H is completed by all

applicants, upon being hired and if being considered for a promotion. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (g) Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 mandates that material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.17 (h) Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 requires that the agency shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a current or former employee upon receiving a request from an institutional employer for whom such employee has applied to work. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.18 – Upgrades to Facilities and Technology

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, page 30, section V, staff interviews and review of documentation provided. The following delineates the audit findings regarding this standard:

115.18 (a) Corrections Corporation of America - Torrance County Detention Facility requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse. During this audit cycle there have been no expansions or modifications to this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.18 (b) Corrections Corporation of America - Torrance County Detention Facility requires when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse.

During this audit cycle there has been minimal enhancements to the video technology at this facility. All identified blind spots were addressed and staff as well as inmates confirmed during interviews they felt safer with the changes in place.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.21 – Evidence Protocol and Forensic Medical Examinations

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

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, pages 23 and 24, section O and policy 13-79, page 2, section A-i and ii, investigative staff interviews, and review of documentation provided. The following delineates the audit findings regarding this standard:

115.21 (a) and (b) Corrections Corporation of America - Torrance County Detention Facility complies with all elements of this standard. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings. The Estancia Police Department investigates all PREA complaints for potential criminal activity and maintains a close working relationship with the County Prosecutor and the Torrance County Detention Facility investigator on each case. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (c) Corrections Corporation of America - Torrance County Detention Facility offers all victims of sexual abuse access to forensic medical examinations at the University of New Mexico Hospital without financial cost, where evidentiary or medically appropriate. Such examinations are to be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (d) The Corrections Corporation of America - Torrance County Detention Facility has entered into a Memorandum of Understanding with Rape Crisis Center of Central New Mexico which agrees to provide outside victim advocacies services to the inmates. The services of these victim advocates has not been requested or used by the inmates during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (e) Corrections Corporation of America - Torrance County Detention Facility has entered into a Memorandum of Understanding with Rape Crisis Center of Central New Mexico which agrees to provide outside victim advocacies services to the inmates upon request. The facility also makes available to the victim a qualified agency staff member, upon request by the victim, who will accompany and support the victim through the forensic medical examination process and investigatory

interviews and provide emotional support, crisis intervention, information, and referrals as warranted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.21 (f) The Corrections Corporation of America - Torrance County Detention Facility is responsible for administrative investigations and has an agreement with the Estancia Police Department to provide criminal investigations covering all aspects of this standard. Therefore, this part of the standard is not applicable to this facility.

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section O on pages 20 through 24, investigative staff interviews, and review of documentation provided. The following delineates the audit findings regarding this standard:

115.22 (a) The Corrections Corporation of America - Torrance County Detention Facility is required to investigate ALL PREA complaints received at this facility. All potential criminal activity is referred to the Estancia Police Department for criminal investigation. There was one case of sexual abuse referred and investigated during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (b) All PREA allegations are investigated by the Corrections Corporation of America - Torrance County Detention Facility for potential criminal activity. If it is determined that the allegation involves potential criminal activity, it is referred to the Estancia Police Department for criminal investigation and prosecution as warranted. This policy is published on the agency website as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.22 (c) The Corrections Corporation of America - Torrance County Detention Facility refers all criminal allegations for investigation to the Estancia Police Department. The requirements of this part of the standard are outlined in the policy that is posted on the website. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.31 – Employee Training

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section C on page 6, staff interviews, random staff training file review and review of documentation provided (power points, certificates, sign in sheets, signed acknowledgement forms, training curriculums and employee handouts). The following delineates the audit findings regarding this standard:

115.31 (a) Corrections Corporation of America - Torrance County Detention Facility train all their employees who have contact with inmates on:

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

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (b) The training is tailored to the gender of the inmates at Corrections Corporation of America - Torrance County Detention Facility. The employees receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.31 (c) The training staff provided a report containing all staff that had been PREA trained which confirmed the requirements needed to meet the standard and proved that all current staff was trained within one year of the effective date of the PREA standards. All staff receive annual refresher PREA training during in-service which exceeds the requirements of this standard. Therefore, the facility exceeded this part of the standard during this audit.

115.31 (d) Corrections Corporation of America - Torrance County Detention Facility documents, through employee signature on an acknowledgement form, that all employees understand the training they have received. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section C-2 on page 8, volunteer and contractor interviews, random training file review and review of documentation provided (power points, certificates, sign in sheets, signed acknowledgement forms, training curriculums and handouts). The following delineates the audit findings regarding this standard:

115.32 (a) Corrections Corporation of America - Torrance County Detention Facility ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Corrections Corporation of America - Torrance County Detention Facility's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (b) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Corrections Corporation of America - Torrance County Detention Facility's zero-tolerance policy 14-2 regarding sexual abuse and sexual harassment and their requirements to report such incidents. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.32 (c) Corrections Corporation of America - Torrance County Detention Facility documents through employee signature on an acknowledgement form that volunteers and contractors understand the training they have received. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.33 – Inmate Education

- 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 the Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section I-1 and 2 on pages 13 and 14, the Inmate Handbook, PREA Pamphlets, Facility Orientation, PREA Posters, and the PREA

video; as well as interviews with random inmates and staff. The following delineates the audit findings regarding this standard:

115.33 (a) During the intake process, inmates receive information explaining Corrections Corporation of America - Torrance County Detention Facility's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (b) Within 30 days of intake, Corrections Corporation of America - Torrance County Detention Facility provides comprehensive education to the inmates, administered by video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (c) Corrections Corporation of America - Torrance County Detention Facility has provided such education within one year of the effective date of the PREA standards to all its inmates, and provides education to inmates upon transfer as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (d) Corrections Corporation of America - Torrance County Detention Facility provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The facility has an agreement with Language Line Interpreter Services as well as TDD phones to assist inmates with these disabilities. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (e) There was documentation provided of inmates participation in PREA educational sessions as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.33 (f) Corrections Corporation of America - Torrance County Detention Facility does provide the inmates with posters, pamphlets, and an inmate handbook in English and Spanish outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.34 – Specialized Training: Investigations

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on review of the Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section b - i on page 7 as well as the PREA Specialized Investigator Training curriculums provided, Investigators training file review and investigative staff interviews. The following delineates the audit findings regarding this standard:

115.34 (a) In addition to the general training provided to all employees Corrections Corporation of America - Torrance County Detention Facility ensures that the investigators have received training in conducting investigations in confinement settings. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.34 (b) Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.34 (c) Corrections Corporation of America - Torrance County Detention Facility maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.35 – Specialized training: Medical and mental health care

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on review of the Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section b - ii on page 7 as well as the PREA Specialized Medical/Mental Health training video and curriculum provided, training file review and staff interviews. The following delineates the audit findings regarding this standard:

115.35 (a) Corrections Corporation of America - Torrance County Detention Facility PREA policy as well as the PREA Specialized Medical/Mental Health training video, curriculum provided, training file review and staff interviews revealed the agency has provided specialized training to all its medical and mental health staff on how to detect and assess signs of sexual abuse and sexual 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 sexual harassment. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (b) The medical staff at this facility does not conduct forensic exams. Therefore, this part of the standard is not applicable to this facility.

115.35 (c) The agency maintains documentation that all medical and mental health practitioners have received specialized training. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.35 (d) Medical and mental health care practitioners also receive the annual training mandated for all employees, contractors, and volunteers. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.41 – Screening for Risk of Victimization and Abusiveness

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section H on pages 12 and 13, inmate and staff interviews, inmate file reviews, and a review of the 14-2B objective "Initial and 30 day PREA Screening Assessment" form. The following delineates the audit findings regarding this standard:

115.41 (a) Corrections Corporation of America - Torrance County Detention Facility ensures that all inmates are assessed during intake and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (b) The Corrections Corporation of America - Torrance County Detention Facility documentation provided mandates that screenings be conducted within 72 hours of arrival at the facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (c) Based on the documentation provided and inmate file reviews the facility utilizes an objective screening instrument that covers all aspects of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (d) The intake screening instrument used considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

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

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (e) The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Corrections Corporation of America - Torrance County Detention Facility, in assessing inmates for risk of being sexually abusive. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (f) Within 30 days from the inmate's arrival, the Corrections Corporation of America - Torrance County Detention Facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Corrections Corporation of America - Torrance County Detention Facility since the intake screening. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (g) Corrections Corporation of America - Torrance County Detention Facility will reassess an inmate's risk level 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (h) Corrections Corporation of America - Torrance County Detention Facility does not discipline inmates for refusing to answer screening questions or not disclosing complete information. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.41 (i) Corrections Corporation of America - Torrance County Detention Facility implements appropriate controls on the dissemination of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Based on policy review, interview with the Warden, and interviews with the staff responsible for completing the screening, all information gathered on the screening instrument is restricted to staff making housing, work and program assignments. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section J on pages 14 and 15, inmate and staff interviews, file review, and a review of the 14-2B objective "Initial and 30 day PREA Screening Assessment" form. The following delineates the audit findings regarding this standard:

115.42 (a) Corrections Corporation of America - Torrance County Detention Facility uses information from the risk screening to decide 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (b) Corrections Corporation of America - Torrance County Detention Facility makes individualized determinations about how to ensure the safety of each inmate. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (c) Corrections Corporation of America - Torrance County Detention Facility outlines the procedures to be followed in deciding whether to assign a transgender inmate to a facility for male or female inmates, and the process for making housing and programming assignments, on case by case basis as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (d) Corrections Corporation of America - Torrance County Detention Facility outlines the procedures for placement and programming assignments of each transgender or intersex inmate being reassessed at least twice per year to review any threats to safety experienced by the inmate as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (e) Corrections Corporation of America - Torrance County Detention Facility requires that a transgender and intersex inmate's own views regarding their own safety be given serious consideration. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (f) Corrections Corporation of America - Torrance County Detention Facility requires that transgender and intersex inmates be given the opportunity to shower

separately from other inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.42 (g) Corrections Corporation of America - Torrance County Detention Facility does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.43 – Protective Custody

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section J on pages 14 and 15, staff interviews, inmate interviews, and documentation review. The following delineates the audit findings regarding this standard:

115.43 (a) Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. The Corrections Corporation of America - Torrance County Detention Facility policy outlines the procedures to ensure compliance with this standard. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (b) Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Corrections Corporation of America - Torrance County Detention Facility restricts access to programs, privileges, education, or work opportunities, Corrections Corporation of America - Torrance County Detention Facility documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (c) Corrections Corporation of America - Torrance County Detention Facility assigns such inmates to involuntary segregated housing only until an alternative

means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (d) If an involuntary segregated housing assignment is made, Corrections Corporation of America - Torrance County Detention Facility clearly documents the basis for the facilities' concern for the inmate's safety; and the reason why no alternative means of separation can be arranged. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.43 (e) Corrections Corporation of America - Torrance County Detention Facility requires a 30-day review to determine whether there is a continuing need for separation from the general population. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.51 – Inmate Reporting

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section L on pages 16 and 17, the Inmate Handbook, PREA pamphlets, and posters provided to inmates were utilized to verify compliance with this standard. Staff and inmate interviews verified the inmates have multiple internal ways to report incidents of abuse or harassment. They can report verbally, in writing, dialing the hotline provided and/or through report of a third party. The following delineates the audit findings regarding this standard:

115.51 (a) Corrections Corporation of America - Torrance County Detention Facility PREA policy outlines multiple internal ways for inmates to report incidents of abuse or harassment. They can report verbally, in writing, dialing the hotline provided and/or through report of a third party. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (b) Corrections Corporation of America - Torrance County Detention Facility provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Corrections Corporation of America - Torrance County Detention Facility, 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. The Corrections Corporation of America - Torrance County Detention Facility has by Memorandum of Understanding provided the address and phone number for Rape Crisis Center of

Central New Mexico and the Office of the Inspector General to the inmates satisfying the requirements of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (c) Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section L-2 page 17 requires all staff to accept reports made verbally, in writing, anonymously and from third parties. All allegations shall be promptly documented in an incident report and reported to the supervisor. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.51 (d) Corrections Corporation of America - Torrance County Detention Facility staff may privately report sexual abuse and sexual harassment to the Warden, a supervisor, PREA manager, or the agencies ethics hotline at the corporate office. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)
- Not Applicable (Exempt) Standard

The Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, L on page 17 does not require an inmate to submit a grievance or allow a PREA incident reported on a grievance to be processed through the facility's grievance process. Should a report be submitted, it is the policy to immediately forward the complaint to the Investigator or the Administrative Duty Officer on duty. Therefore, this standard was found not applicable to this facility.

§115.53 – Inmate Access to Outside Confidential Support Services

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

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy section F on page 10, staff interviews, inmate interviews and

documentation review. The following delineates the audit findings regarding this standard:

115.53 (a) The agency has entered into a Memorandum of Understanding with the Rape Crisis Center of Central New Mexico which agrees to provide confidential outside victim advocacies services to the inmates at Corrections Corporation of America - Torrance County Detention Facility. The mailing address and telephone number for this agency are made available to all inmates at the facility. Corrections Corporation of America - Torrance County Detention Facility enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. The services of these victim advocates have not been requested or used by the inmates during this audit cycle, verified by phone call. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.53 (b) Corrections Corporation of America - Torrance County Detention Facility informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.53 (c) Corrections Corporation of America - Torrance County Detention Facility maintains a Memorandum of Understanding with the Rape Crisis Center of Central New Mexico. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.54 – Third-Party Reporting

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on the review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section L, on pages 17 and 18 as well as a review of the agency website outlining third party reporting. The following delineates the audit findings regarding this standard:

115.54 (a) The agency provides multiple methods for receiving third-party reports of sexual abuse and sexual harassment on the agency website at: www.cca.com. The information available on the website explains how to report sexual abuse and sexual harassment on behalf of an inmate. The facility takes all reports seriously no matter how they are received and investigates each reported incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section L on pages 17 and 18, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.61 (a) Corrections Corporation of America - Torrance County Detention Facility requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of Corrections Corporation of America - Torrance County Detention Facility; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (b) Corrections Corporation of America - Torrance County Detention Facility requires apart from reporting to designated supervisors or officials, staff do not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (c) Corrections Corporation of America - Torrance County Detention Facility requires medical and mental health practitioners to report sexual abuse immediately to the security staff supervisor. Medical and mental health practitioners are required to inform the inmates of their duty to report, and the limitations of confidentiality, at the initiation of services. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (d) If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, Corrections Corporation of America - Torrance County Detention Facility reports the allegation to the designated state or local services agency. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.61 (e) Corrections Corporation of America - Torrance County Detention Facility reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility investigator as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 on page 1, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.62 (a) Policy and staff training requires all staff to take immediate action and staff acknowledged during their interviews the requirement of all staff to protect inmates when it is learned that an inmate at the Corrections Corporation of America - Torrance County Detention Facility is subject to a substantial risk of imminent sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section M-3 page 20, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.63 (a) Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Corrections Corporation of America - Torrance County Detention Facility that received the allegation notifies the head of the facility or appropriate office where the alleged abuse occurred. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.63 (b) and (c) Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.63 (d) Upon receiving a call from an outside facility that an inmate had been sexually abused while in the custody of the Corrections Corporation of America -

Torrance County Detention Facility. The allegation is referred immediately to the facility investigator to be investigated. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.64 – Staff First Responder Duties

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

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section M on pages 18 - 20, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.64 (a) Corrections Corporation of America - Torrance County Detention Facility policy outlines the responsibilities of all staff members receiving an allegation of sexual abuse to follow these guidelines:

- (1) Separate the alleged victim and abuser;
- (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and
- (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.64 (b) Corrections Corporation of America - Torrance County Detention Facility PREA policy mandates when the first staff responder is not a security staff member, they shall advise the alleged victim not to take any actions that could destroy physical evidence, and then notify security staff immediately. The auditor confirmed compliance based on interviews with and training records of non-security staff. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.65 – Coordinated Response

- Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section G pages 10-12, section M pages 18-21, staff interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.65 (a) Corrections Corporation of America - Torrance County Detention Facility has a very comprehensive written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators and facility leadership. The plan clearly defines the roles and responsibilities of each person involved and the procedures to be followed in detail. Interviews with SART members confirmed their knowledge of the response plan.

Part of the response plan is the "Sexual Abuse Incident Check Sheet" form 14-2C which is initiated upon receiving a PREA allegation and ensures all steps in the plan are carried out in a timely manner exceeding the requirements of this standard.

§115.66 – Preservation of ability to protect inmates from contact with abusers

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on PREA Policy 14-2, section R pages 25 and 26, interviews with agency head and the PREA Coordinator, and documentation provided. The following delineates the audit findings regarding this standard:

115.66 (a) Employees are subject to disciplinary sanctions up to termination for violating Corrections Corporation of America - Torrance County Detention Facility policies on sexual abuse and sexual harassment. When the Agency Head was interviewed he reported that 7% of Corrections Corporation of America facilities are unionized and 93% are not. The Corrections Corporation of America - Torrance County Detention Facility has not entered into any collective bargaining agreements during this audit cycle. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section G on page 11, staff interviews, inmate interviews, and documentation provided. The following delineates the audit findings regarding this standard:

115.67 (a) Corrections Corporation of America - Torrance County Detention Facility has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and designates which staff members or departments are charged with monitoring retaliation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (b) Corrections Corporation of America - Torrance County Detention Facility has multiple protection measures, such as housing changes or transfers for inmates, victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (c) For at least 90 days following a report of sexual abuse, Corrections Corporation of America - Torrance County Detention Facility monitors the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and act promptly to remedy any such retaliation. There is periodic status checks performed and documented. Corrections Corporation of America - Torrance County Detention Facility's monitoring includes any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Such monitoring continues beyond 90 days if the initial monitoring indicates a continuing need. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.67 (d) If any other individual who cooperates with an investigation expresses a fear of retaliation, Corrections Corporation of America - Torrance County Detention Facility takes appropriate measures to protect that individual against retaliation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

115.68 (a) Corrections Corporation of America - Torrance County Detention Facility prohibits offenders who have alleged sexual abuse to be placed in involuntary segregated housing. If segregated housing is used, the same provisions as outlined in PREA policy 14-2, section J on pages 14 and 15 would apply. Interviews with the Warden and segregation staff revealed that involuntary segregation has not been used for this purpose in the past 12 months. The Warden stated that if separation was required to protect the offender, they would be placed in segregation for no longer than 72 hours. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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 upon review of the Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section N pages 21 and 22, policy 14-2 section O pages 22 and 23, investigative staff interviews, training certificates, investigative reports, as well as interviews with the PREA Coordinator, and the PREA Compliance Manager. The following delineates the audit findings regarding this standard:

115.71 (a) Corrections Corporation of America - Torrance County Detention Facility investigator conducts an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. The investigative files were reviewed and it appeared that the investigations were conducted promptly, documented thoroughly, and objectively for all allegations, including third-party, and anonymous reports. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (b) Based on training curriculums provided, Investigators training file review, and investigative staff interviews, it was evident the facility provided, in addition to the general training received by all employees, specialized training to all its investigators. This training included 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (c) Corrections Corporation of America - Torrance County Detention Facility Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (d) When the quality of evidence appears to support criminal prosecution, Corrections Corporation of America - Torrance County Detention Facility refers the case to the Estancia Police Department for the criminal investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (e) The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. The inmate who alleges sexual abuse is not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (f) Corrections Corporation of America - Torrance County Detention Facility administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (g) Corrections Corporation of America - Torrance County Detention Facility criminal investigations are documented by the Estancia Police Department in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (h) Corrections Corporation of America - Torrance County Detention Facility refers all allegations to the Estancia Police Department for investigation and prosecution when warranted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (i) Corrections Corporation of America - Torrance County Detention Facility retains all written reports for as long as the alleged abuser is incarcerated or employed by Corrections Corporation of America - Torrance County Detention Facility, plus five years. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (j) The departure of the alleged abuser or victim from employment or control of the Corrections Corporation of America - Torrance County Detention Facility or agency does not provide a basis for terminating an investigation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (k) The Estancia Police Department conducts criminal sexual abuse investigations pursuant to the requirements of this standard. Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, outlines the requirements of the criminal investigation and complies with all aspects of this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.71 (l) Corrections Corporation of America - Torrance County Detention Facility refers all criminal cases to the Estancia Police Department and cooperates with their investigators during the entire investigation. The facility remains informed of the progress of the investigation through communication between the facility investigator and the Estancia Police Department agent handling the case. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.72 – Evidentiary Standard for Administrative Investigations

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

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section O, subsection 5 on page 24 and investigative staff interviews. The following delineates the audit findings regarding this standard:

Corrections Corporation of America - Torrance County Detention Facility imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.73 – Reporting to Inmate

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

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section Q on pages 24 and 25, documentation provided, and staff interviews. The following delineates the audit findings regarding this standard:

115.73 (a) Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy it was confirmed that following an investigation into an inmate's allegation he/she suffered sexual abuse in the facility, the inmate was to be informed whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. The documentation provided confirmed the inmates were provided this notification on the "Inmate/Resident PREA Allegation Status Notification" form 14-2E. The inmates are required to sign the form documenting acknowledgement of this notification as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (b) The agency does request all relevant information from the criminal investigation conducted by the Estancia Police Department in order to inform the inmate as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (c) Based on Corrections Corporation of America - Torrance County Detention Facility PREA policy and documentation provided, it was confirmed that following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

- (1) The staff member is no longer posted within the inmate's unit;
- (2) The staff member is no longer employed at the facility;
- (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the Corrections Corporation of America - Torrance County Detention Facility; or
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the Corrections Corporation of America - Torrance County Detention Facility

The documentation provided confirmed the inmates were provided this notification on the "Inmate/Resident PREA Allegation Status Notification" form 14-2E. The inmates are required to sign the form documenting acknowledgement of this notification as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (d) Following an inmate's allegation they had been sexually abused by another inmate, Corrections Corporation of America - Torrance County Detention Facility subsequently informs the alleged victim whenever the facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or Corrections Corporation of America - Torrance County Detention Facility learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. The documentation provided confirmed the inmates were provided this notification on the "Inmate/Resident PREA Allegation Status Notification" form 14-2E. The inmates are required to sign the form documenting

acknowledgement of this notification as required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (e) All such notifications or attempted notifications are documented. Based on the "Inmate/Resident PREA Allegation Status Notification" form 14-2E. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.73 (f) Policy outlines the agency's obligation to report under this standard terminates if the inmate is released from Corrections Corporation of America - Torrance County Detention Facility's custody. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.76 – Disciplinary sanctions for staff

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section R on pages 25 and 26, documentation provided, agency head, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.76 (a) and (b) Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who has engaged in sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.76 (d) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section R3 on pages 26 and 27, documentation provided, agency head, Warden, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.77 (a) Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement, unless the activity was clearly not criminal, and to relevant licensing bodies. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.77 (b) Corrections Corporation of America - Torrance County Detention Facility takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§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)

Based upon review of Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section R on pages 25 and 26, documentation provided, agency head, and PREA Coordinator interviews. The following delineates the audit findings regarding this standard:

115.78 (a) Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (b) 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. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (c) The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (d) The Mental Health staff offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, Corrections Corporation of America - Torrance County Detention Facility does not require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (e) Corrections Corporation of America - Torrance County Detention Facility disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) Policy states a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.78 (f) Corrections Corporation of America - Torrance County Detention Facility prohibits all sexual activity between inmates and may discipline inmates for such activity. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.81 – Medical and mental health screenings; history of sexual abuse

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on medical and mental health staff interviews and documentation provided as well as Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section E on pages 9 and 10, section L on pages 17 and 18, and section M on pages 18 and 19. Also, policy 13-79 section A on pages 2 - 4. The following delineates the audit findings regarding this standard:

115.81 (a) and (c) If the screening indicates the inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, the screening staff at the Corrections Corporation of America - Torrance County

Detention Facility ensures the inmate is offered a follow-up meeting with the medical and/or mental health staff within 14 days of the intake screening as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (b) If the screening indicates an inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the screening staff at the Corrections Corporation of America - Torrance County Detention Facility ensures the inmate is offered a follow-up meeting with mental health staff within 14 days of the intake screening as required by this part of the standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (d) Corrections Corporation of America - Torrance County Detention Facility requires that 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, or as otherwise required by Federal, State, or local law. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.81 (e) Corrections Corporation of America - Torrance County Detention Facility requires medical and mental health practitioners to obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in the facility, unless the inmate is under the age of 18. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.82 – Access to emergency medical and mental health services

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on medical and mental health staff interviews and documentation provided as well as Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section E on pages 9 and 10, section L on pages 17 and 18, and section M on pages 18 and 19. Also, policy 13-79 section A on pages 2 - 4. The following delineates the audit findings regarding this standard:

115.82 (a) Corrections Corporation of America - Torrance County Detention Facility has an agreement with the University of New Mexico Hospital to treat inmate victims of sexual abuse. The facility also has medical and mental health staff at the facility ensuring inmates receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.

Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (b) Corrections Corporation of America - Torrance County Detention Facility has procedures to follow when no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (c) Corrections Corporation of America - Torrance County Detention Facility ensures inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.82 (d) Corrections Corporation of America - Torrance County Detention Facility requires that all treatment services provided to the victim are without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.83 – Ongoing medical and mental health care for sexual abuse victims and abusers

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on medical and mental health staff interviews and documentation provided, Corrections Corporation of America - Torrance County Detention Facility PREA policy 13-70, page 3 and 4, section 1 and 2, policy 13-79, page 3, section A, page 4, section 2 and page 5, section 2 and 3. The following delineates the audit findings regarding this standard:

115.83 (a) Corrections Corporation of America - Torrance County Detention Facility offers medical and mental health evaluations and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any facility. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (b) Corrections Corporation of America - Torrance County Detention Facility mandates that the evaluations and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued

care following their transfer to, or placement in, other facilities, or their release from custody. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (c) Corrections Corporation of America - Torrance County Detention Facility requires that medical and mental health staff provide all victims with medical and mental health services consistent with the community level of care. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (d and e) Based on Corrections Corporation of America - Torrance County Detention Facility policy 13-79 section A on page 3 requires inmate victims of sexually abusive vaginal penetration, while incarcerated, shall be offered pregnancy tests and timely information about, and access to, all pregnancy-related medical services that are lawful in the community as required by this standard. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (f) Corrections Corporation of America - Torrance County Detention Facility requires that medical and mental health staff provide inmate victims of sexual abuse while incarcerated tests for sexually transmitted infections as medically appropriate. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (g) Corrections Corporation of America - Torrance County Detention Facility requires that medical and mental health staff provide treatment services to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.83 (h) Corrections Corporation of America - Torrance County Detention Facility attempts to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning such abuse history and offer treatment when deemed appropriate by the mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.86 – Sexual abuse incident reviews

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on interviews with the Warden, PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section N on pages 21 and 22. The following delineates the audit findings regarding this standard:

115.86 (a) Corrections Corporation of America - Torrance County Detention Facility conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (b) Corrections Corporation of America - Torrance County Detention Facility ensures that these reviews occur within 30 days of the conclusion of the investigation and documents the review on the "Sexual Abuse Incident Review Report" form 14-2F. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (c) The review team consist of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.86 (d) The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; and they examine the area in Corrections Corporation of America - Torrance County Detention Facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. The agency has deployed an excellent PREA after action review form which addresses all elements of the standard. Corrections Corporation of America - Torrance County Detention Facility conducts an incident review for all cases and reviews all findings telephonically with the agency wide PREA Coordinator for additional clarification and guidance. Therefore, the facility exceeds the intent of this part of the standard.

115.86 (e) Corrections Corporation of America - Torrance County Detention Facility shall implement the recommendations for improvement, or shall document its reasons for not doing so. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.87 – Data Collection

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2 section T, on pages 27 and 28. The following delineates the audit findings regarding this standard:

115.87 (a), (b) and (c) Corrections Corporation of America - Torrance County Detention Facility collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (d) Corrections Corporation of America - Torrance County Detention Facility maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (e) Corrections Corporation of America - Torrance County Detention Facility does not contract its inmates to other facilities. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.87 (f) Upon request, Corrections Corporation of America - Torrance County Detention Facility provides all such data from the previous calendar year to the Department of Justice no later than June 30 when required. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.88 – Data Review for Corrective Action

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section T-3 page 28. The following delineates the audit findings regarding this standard:

115.88 (a) Corrections Corporation of America - Torrance County Detention Facility reviews data collected to assess and improve the effectiveness of its sexual abuse

prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Corrections Corporation of America - Torrance County Detention Facility as a whole. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (b) Such reports includes a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of Corrections Corporation of America - Torrance County Detention Facility's progress in addressing sexual abuse. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (c) Corrections Corporation of America - Torrance County Detention Facility's report is approved by the Corrections Corporation of America's agency head and made readily available to the public through its website www.cca.com. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

115.88 (d) Corrections Corporation of America - Torrance County Detention Facility may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of the facility, but must indicate the nature of the material redacted. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

§115.89 – Data Storage, Publication, and Destruction

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - Torrance County Detention Facility PREA policy 14-2, section T-2-c on page 27. The following delineates the audit findings regarding this standard:

115.89 (a) through (d) Corrections Corporation of America agency PREA Coordinator makes all aggregated sexual abuse data, from facilities under Corrections Corporation of America direct control readily available to the public at least annually through the agency website: www.cca.com.

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or Local law requires otherwise. Therefore, the facility demonstrated compliance with this part of the standard during this audit.

AUDITOR CERTIFICATION:

I certify that:

- X The contents of this 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, and
- X I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

Rodney P. Bivens

Auditor Signature

June 18, 2016

Date