

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

Interim Final Report

Auditor Information

Auditor name: Katherine Brown

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Date of facility visit: May 2, 2016

Date report submitted: May 5, 2016

Facility Information

Name of facility: Muscogee County Prison

Physical address: 7175 Sacerdote Lane, Columbus, GA 31907

Facility mailing address: P.O. Box 84041 Columbus, GA 31907-4041

Telephone number:

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

Facility Type:	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison
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Name of facility's Chief Executive Officer: H. Dwight Hamrick	Title:	Warden
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Number of staff assigned to Muscogee County Prison in the last 12 months: 105

Designed facility capacity: 576

Current population of facility:

Facility security levels/inmate custody levels: Medium

Age range of the population: 18-65

Name of PREA Compliance Manager: Daniel King	Title:	Deputy Warden of Care & Treatment
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Email address: dking@columbus.org	Telephone #
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Agency Information

Name of agency: Muscogee County Prison

Governing authority or parent agency: Columbus Consolidated Government

Physical address: 100 10th Street Columbus, GA 31901

Mailing address: N/A

Telephone number:

Agency Chief Executive Officer

Name: Teresa Tomlinson	Title:	Mayor
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Email address: ttomlinson@columbusga.org	Telephone number:
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AUDIT FINDINGS

NARRATIVE:

The audit of Muscogee County Prison was conducted on May 2, 2016 by Katherine Brown, Certified PREA auditor. The areas toured were a total of 14 housing units. There are 12 general population units and two administrative detention/segregation unit, plus the kitchen, laundry, programs area, and work areas.

An entrance meeting was held with facility staff. The following people were in attendance: Warden H. Dwight Hamrick; Deputy Warden Daniel King and Deputy Warden Thomas.

Following the entrance meeting I toured the Muscogee County Prison from 0915: 1000. On the tour with me was, Warden H. Dwight Hamrick; Deputy Warden Daniel King and Deputy Warden Thomas.

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

There was one sexual harassment allegation cases this past year that was unfounded.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The Muskogee County Prison is located at 7175 Sacerdote Lane, Columbus, GA 31907. It was built in 1990. It houses 524 State prisoners and 43 county inmates. Of those 354 are assigned to work details all over the city of Columbus. The prison has two open bay housing units North Side consists of dorms A-F, each dorm houses 48 inmates per dorm and the South Side consists of dorms G-L. Each dorm as a common dayroom area and is observed by a control room officer and has two officers that roam through the dorms. There are two segregation units. The Kitchen is operated by Aramark food service and is operated with 3 Aramark staff and 20 inmates. The medical staff is contracted through Correct Care Solutions and operate five days a week Monday-Friday and are on call on the weekends.

SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded: 3

Number of standards met: 37

Number of standards not met:

Number of standards not applicable: 3

§115.11 Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

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

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

Based on review of GDOC SOP 208.06 IV A.1; MCP Organizational Chart; MCP – GDC Mission Statement and interviews with PREA Coordinator and PREA compliance manager in find they meet this standard.

Muscogee County Prison has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlines Muscogee County Prison’s approach to preventing, detecting, and responding to such conduct. Muscogee County Prison complies with this standard by utilizing GDC SOP 208.06. This policy mandates zero tolerance toward all forms of sexual misconduct and is used to prevent, detect, and respond to any form of sexual abuse and sexual harassment.

Muscogee County Prison employs or designates an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. Muscogee County Prison complies with this standard in that Deputy Warden of Administration/Care and Treatment has been designated the PREA Coordinator for our agency by the Warden

§115.12 Contracting with other agencies for confinement of inmates

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

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

Based on interview with warden Muscogee County Prison does not contract with non-state or private agencies for purposes of confinement of its assigned inmates. All inmates assigned to Muscogee County Prison are housed at the assigned facility or within state authorized institutions as defined by state policy.

§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)

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

Based on review of GDC SOP 208.06 IV. A. 3; Duty Assignment roster; SOP II A07-0012; log book entry and annual staffing plan as well as interview with Warden and PREA Compliance Manager I find they meet this standard.

Muscogee County Prison has developed, documented, and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and uses video monitoring, to protect inmates against sexual abuse. Staffing for the 6-2 shift is 19 officers; 2-10 has 20 officers and 10-6 have 15 officers assigned. Muscogee County Prison complies with the standard by staffing plan and shift rosters that were reviewed as part of this audit.

In circumstances where the staffing plan was not complied with, Muscogee County Prison documented and justified all deviations from the plan. All deviations from the staffing plan were documented on the shift rosters.

Muscogee County Prison completes an annual review, in consultation with the PREA coordinator required by § 115.11, to assess, determine, and document whether adjustments are needed. Based on review of the annual staffing report.

§115.14 Youthful inmates
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

X Not applicable standard.

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

Muscogee County Prison does not house youthful offenders.

§115.15 Limits to cross gender viewing and searches

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of 208.06 IV. A. 7 (a-g); Local Policy directive and GDC SOP IIB01-0013 and interviews with random staff I find they meet this standard.

Muscogee County Prison does not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances *or when performed by medical practitioners*. In the event a cross gender search is done Muscogee County Prison documents all cross-gender strip searches and cross-gender visual body cavity searches. During random staff and offender interviews it was confirmed staff do not perform cross gender strip searches.

Muscogee County Prison has policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit. During the random offender interviews it was confirmed that offenders have privacy to perform bodily functions and cross gender staff announcements are made.

Muscogee County Prison does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it is determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. There were no transgender offenders at the prison at the time of the audit but based on staff interviews transgender/intersex offenders would not be searched for sole purpose of determining the inmate's genital status.

Muscogee County Prison trains security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. Random staff interviews confirmed they have been trained in cross gender pat down searches.

§115.16	Inmates with disabilities and limited English speaking
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on review of GDC 208.06 IV.A.8 (a-b) and PREA pamphlet English/Spanish; Staff Interpreters list; Language Line contract and random inmate and staff interviews and I find they meet this standard.

Muscogee County Prison takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of Muscogee County Prison's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. The PREA Pamphlet is both English/Spanish; Muscogee County Prison has a contract with the Language Line to provide translation for other

languages as well as sign language for the deaf. Since this is a work camp Muscogee County Prison would not receive a disabled offenders.

Muscogee County Prison 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. None have been used or required. Muscogee County Prison has a contract with the Language Line to provide interpreters or staff interpreters.

§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)

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

Based on review of GDC 208.06 IV.A.9 (a-d); employee application; questions asked by Deputy Warden during hiring process and interview; consent for background checks; GDC SOP IV O 03-0012 and SOP IV O 05-0001 and interview with Deputy Warden responsible for hiring; review of background checks I find they exceed this standard.

Muscogee County Prison does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor who may have contact with inmates, who has engaged in sexual abuse in any criminal justice facility, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. Based on interview with Deputy Warden all applicants have a back ground check done prior to job offer, if any sexual activity is discovered during the back ground screen they would not be offered a job.

Muscogee County Prison considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. Based on interview with Deputy Warden all applicants have a back ground check done prior to job offer, if any sexual activity is discovered during the back ground screen they would not be offered a job. Any person up for promotion has a background check performed prior to promotion.

Muscogee County Prison performs a criminal background records check before enlisting the services of any contractor who may have contact with inmates performs a records annually of current employees and contractors who may have contact with inmates. Review of personnel files confirmed the background checks are being done annually, based on annual background checks I find they exceed this standard.

§115.18 Upgrades to facilities and technology

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. A. 10 and interview of warden I find they meet this standard.

When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, Muscogee County Prison considers how such technology may enhance Muscogee County Prison's ability to protect inmates from sexual abuse. There have been no substantial or modifications to existing facilities. Muscogee County Prison currently utilizes 89 cameras that are used to prevent sexual abuse and investigate allegations of wrongdoing. When installing new equipment, the Warden, Deputy Warden of Security, and facility SART will ensure it is used to protect inmates from sexual abuse.

§115.21	Evidence protocol and forensic medical exams
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. B.1; SOP IK 01-0006; Sexual Abuse Response Checklist; Victim Assistance Training On line; In-Service Training Records – Security; Pre-Service Orientation Training Record-Non Security Staff; GDC Training Roster-Non Security and interview with SANE/SAFE staff and PREA compliance manager I find they meet this standard.

To the extent Muscogee County Prison is responsible for investigating allegations of sexual abuse; Muscogee County Prison follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions

Muscogee County Prison offers all victims of sexual abuse access to forensic medical examinations, at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Nurse Examiners (SANEs) from Midtown Medical Center or through the Public Health Department.

Muscogee County Prison makes available to the victim a victim advocate from a rape crisis center. Staff have been trained to be victim advocate and Muscogee County Prison has an MOU with the Sexual Assault Support Center.

As requested by the victim, a victim advocate from the Sexual Assault Support Center or a qualified agency staff member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals. All medical staff have been trained to provide Victim Advocate services. It is up to the inmate who they would like to represent them.

To the extent Muscogee County Prison itself is not responsible for investigating allegations of sexual abuse, Muscogee County Prison requests that the investigating agency follow the requirements listed above. All GDC investigators and Muscogee Sheriff Office have received training in conduct investigations in a confinement setting.

§115.22 Policies to ensure referrals of allegations for investigations
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- Exceeds Standard (substantially exceeds requirement of standard)
- Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- Does Not Meet Standard (requires corrective action)

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

Based on review of GDC DOP 208.06 IV. G and interview with investigative staff I find they meet this standard.

Muscogee County Prison ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. Muscogee County Prison follows the standards set forth by the Georgia Department of Corrections in policy number 208.06. The Department's response to sexual assault follows "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents." When an incident is reported, a physical examination of the alleged victim is conducted and SANE protocol is initiated. The Warden immediately ensures an investigation is referred to the GDC Internal Investigations Unit. Referrals to outside law enforcement agencies will be made with the cooperation of the Internal Investigations Unit.

Muscogee County Prison has a policy that ensures allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. Muscogee County Prison publishes such policy on its website www.columbusga.org/MCP.

Muscogee County Prison documents all such referrals. *Whenever an allegation is made, the Warden will notify the GDC Internal Investigations Unit if it is a state inmate; if it is a county inmate the warden contacts the Muscogee County Sheriff Office or Columbus Police Department. This notification will be made in writing and the notification will become part of the PREA investigation.*

§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)

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

Based on review of GDC SOP 208.06 IV. C. 2; Sexual Assault/Sexual Misconduct Acknowledge Statement and Sexual Assault/Sexual Misconduct Acknowledge Statement for Supervised Visitors; Pre-Service Orientation Training Record Non Security Staff; In Service Training Records for security staff; lesson plan and video and interview with random staff I find they meet this standard.

Muscogee County Prison trains all employees who have contact with inmates on:

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

All staff have received PREA training during in service training based on review of training records and random staff interviews.

The training is tailored to the gender of the inmates at Muscogee County Prison. 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. Staff receive training based on the population of the facility they are assigned to.

Muscogee County Prison documents, through GDC Training Roster by employee name and number, those employees understand the training they have received.

§115.32	Volunteer and contractors training
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. C.3 (a-c); Sexual Assault/Sexual Misconduct Acknowledgement Statement; lesson plan and video and interview with volunteer and contractors I find they meet this standard.

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

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

Muscogee County Prison has documentation confirming that volunteers and contractors understand the training they have received.

All volunteers sign a Sexual Assault/Sexual Misconduct Acknowledgement Statement. Volunteers and contractors interviewed confirmed they had received this training.

§115.33	Inmate education
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. C. 4; SOP II B18-0001; Video in English/Spanish; Case Notes acknowledging PREA video was shown; Offender Orientation Checklist; PREA pamphlet; PREA information on Kiosk and on interview with random inmates and intake staff I find they meet this standard.

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

Muscogee County Prison provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. There is documentation of inmate participation in these education sessions. The PREA Pamphlet is in both English/Spanish; Muscogee County Prison has a contract with the Language Line to provide translation for other languages as well as sign language for the deaf. Since this is a work camp Muscogee County Prison would not receive a disabled offenders.

Within 72 hours of intake, Muscogee County Prison provides a comprehensive education to inmates either in person or through 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. The Deputy Warden of Administration/Care & Treatment walks through the dorms and randomly asks inmates questions regarding their understanding of PREA. This practice was confirmed during random inmate interviews. Based on this practice and the random inmate interviews I find they exceed in this standard.

§115.34	Specialized training: Investigators
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 308.06 IV. C. 5; NIC PREA Investigating Sexual Abuse in a Confinement Setting Certificate and GDC Training Class Sexual Assault and interview with investigative staff I find they meet this standard.

In addition to the general training provided to all employees Muscogee County Prison ensures that the in house investigators have received training in conducting investigations in confinement settings.

Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Muscogee County Prison maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. All Muscogee County Prison personnel who are tasked with conducting investigations or acting in any capacity with a PREA investigative team are required to attend a specialized PREA training class using the NIC Specialized Training PREA Medical and MH Standards curriculum. At the conclusion of the class members are given a written exam to ensure their understanding of the class instruction and content delivered. Class attendance is documented locally by the GDC Training Division. All allegations of sexual misconduct are reported to the GDC Internal Investigations Unit. Staff of that unit has received specialized training regarding the techniques for investigating PREA-related issues.

§115.35	Specialized training: Medical and mental health care
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 308.06 IV. C. 5; NIC PREA Investigating Sexual Abuse in a Confinement Setting Certificate and GDC Training Class Sexual Assault and interview with medical and mental health staff I find they meet this standard.

Muscogee County Prison ensures that all full medical who work regularly in its facilities have been trained in how to: detect and assess signs of sexual abuse and sexual harassment; preserve physical evidence of sexual abuse; respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. Medical staff are contracted through Correct Care Solutions to provide medical care. All Muscogee County Prison medical personnel are required to attend a specialized PREA training class using the NIC Specialized Training PREA Medical and MH Standards curriculum. At the conclusion of the class members are given a written exam to ensure their understanding of the class instruction and content delivered. Mental Health

Services are provided by Rutledge State Prison for state inmates and the county inmates receive mental health services from the Psychiatrist from Muscogee County Jail.

Muscogee County Prison maintains documentation that medical staff have received the training.

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

§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)

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

Based on review of GDC SOP 208.06 IV. D. 1 (a-h); Sexual Victim/Sexual Aggressor Classification Screening; Victim/Aggressor Classification rating; Case Notes and interview with random inmates and intake staff responsible for screening I find they meet this standard.

All inmates are assessed during an intake screening and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. Medical staff conduct the intake screening and the Deputy Warden of Care/Treatment checks each screening and enters the information into SCRIBE.

Intake screenings take place within 72 hours of arrival at Muscogee County Prison. Inmates that arrive on Tuesday and Thursday are screened by Friday.

Muscogee County Prison uses an objective screening instrument.

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

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

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 Muscogee County Prison, in assessing inmates for risk of being sexually abusive.

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

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

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

Muscogee County Prison implements appropriate controls on the dissemination within Muscogee County Prison 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. Only limited staff has access to the risk screening form only Medical, Warden Deputy Warden; mental health and the Classification Analyst.

§115.42	Use of screening information
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on GDC SOP 208.06 IV. D.2 (a-d); Victim/Aggressor Screening; 90 day Offender Sexual Abuse Review Checklist and interview with PREA compliance manager and staff responsible for risk screening I find they meet this standard.

Muscogee County Prison 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.

Muscogee County Prison makes individualized determinations about how to ensure the safety of each inmate.

Muscogee County Prison has not had any transgender/intersex offenders but they have policies in place to address the following:

In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, Muscogee County Prison considers on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems.

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

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

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

Muscogee County Prison 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.

§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)

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

Based on review of GDC SOP 208.06 IV. D.3 (a-d) and interview with warden I find they meet this standard.

Two inmates have been placed in protective custody. One was at their request due to being a gay inmate who felt vulnerable in population. The other one was involved in an allegation of sexual harassment where originally he was placed into another dorm. However, gang members became aware of why he was in there and the fact his alleged abuser was a gang member and they started harassing him so the facility placed him in protective custody to provide for his safety. He had access to basic programs during this confinement. His placement was reviewed by the SART team every 30 days.

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.

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

Muscogee County Prison 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. If involuntary segregated housing assignment is made Muscogee County Prison clearly documents the basis for Muscogee County Prison's concern for the inmate's safety; and the reason why no alternative means of separation can be arranged. Every 30 days a review is performed to determine whether there is a continuing need for separation from the general population.

§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)

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

Based on review of GDC SOP 208.06 IV. E. 1 (a-c); Staff Guide on the Prevention and Reporting of Sexual Misconduct with offenders and interviews with random staff and inmates I find they meet this standard.

Muscogee County Prison provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Muscogee County Prison offenders may make a report of sexual abuse, sexual harassment, or retaliation in writing, verbally, by utilizing the PREA hotline, and by phone or mail to the Department Ombudsman Office, and Pardons and Paroles. Inmates can also email individuals via the kiosk system. Inmates are encouraged to report allegations immediately and directly to staff at all levels. All reports are promptly documented and reported to the proper authority.

Muscogee County Prison 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 Muscogee County Prison, 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. Muscogee County Prison staff provides inmates at orientation with information from Sexual Assault Support Center. The organization's hotline number is (706)571-6010.

Staff accepts reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports. Muscogee County Prison staff have been trained to forward all reports or observations of sexual assault/harassment to their immediate supervisor and/or designated SART member promptly. These reports may be made in writing, verbally, anonymously, or from third parties.

Muscogee County Prison provides a method for staff to privately report sexual abuse and sexual harassment of inmates. Staff can report to the EAP or to the statewide PREA Coordinator.

§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)

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

Based on review of GDC SOP 208.06 IV. E. 1.2; SOP IIB02-0001 Offender Discipline; SOP IIB05-0001 Statewide Grievance Procedure I find they meet this standard.

Muscogee County Prison does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse. Muscogee County Prison does not impose time restrictions upon residents in regard to filing grievances alleging sexual abuse prior to or upon completion of a SART investigation.

Muscogee County Prison does not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. Any allegation of sexual abuse, reported by any means, will be treated as a formal allegation and forwarded to the GDC Internal Investigation Unit for full investigation.

Muscogee County Prison ensures that an inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and such grievance is not referred to a staff member who is the subject of the complaint. All grievances filed at Muscogee County Prison can be submitted to any counselor. In a case where the inmate's counselor is the subject of the complaint, any other counselor can be utilized to submit the grievance.

Muscogee County Prison issues a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. Muscogee County Prison's policy establishes that the Warden will issue a final decision t Muscogee County Prison adheres to the policies set forth by the Georgia Department of Corrections in its Statewide Grievance Procedure Reference Number: IIB05-0001 to address PREA related grievances.

Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and are also be permitted to file such requests on behalf of inmates. Muscogee County Prison will accept notification reports of sexual assault/harassment from third parties; however, standard policies and procedures will be used in the process from that point forward.

Muscogee County Prison has established procedures for the filing of an emergency grievance when the inmate is subject to a substantial risk of imminent sexual abuse. Muscogee County Prison adheres to the policies set forth by the Georgia Department of Corrections in its Statewide Grievance Procedure Reference Number: IIB05-0001 to address PREA related grievances. The Statewide Grievance Procedure includes a process for the handling of emergency grievance.

After receiving an emergency grievance alleging a substantial risk of imminent sexual abuse, Muscogee County Prison immediately forwards the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action is taken, and provides an initial response within 48 hours, and issues a final agency decision within 5 calendar days. The initial response and final agency decision documents Muscogee County Prison's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. Muscogee County Prison adheres to the policies set forth by the Georgia Department of Corrections in its Statewide Grievance Procedure Reference Number: IIB05-0001 to address PREA related grievances. The Statewide Grievance Procedure includes a process for the handling of emergency grievance.

Muscogee County Prison may discipline an inmate for filing a grievance related to alleged sexual abuse only where Muscogee County Prison demonstrates that the inmate filed the grievance in bad faith. If it is determined that an inmate has filed a grievance related to an alleged sexual abuse and the grievances is filed in bad faith the inmate is subject to disciplinary sanctions.

§115.53	Inmate access to outside confidential support services
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. E. 3. and interview with random inmates I find they meet this standard.

Muscogee County Prison provides inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. Muscogee County Prison enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. Muscogee County Prison inmates are notified of the community Sexual Assault Support Center during Intake. An inmate may make a verbal or written request to staff to contact the Sexual Assault Support Center at any time. All reasonable measures will be taken to allow for as much privacy as possible.

Muscogee County Prison 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. If inmates of Muscogee County Prison request to contact a Sexual Assault Support center staff will make every effort to offer the inmate reasonable privacy while maintaining visual security if located in restricted or sensitive areas within Muscogee County Prison. Inmates will typically utilize the phone in their counselor's office. The counselor will ensure privacy while the inmate is contacting the rape crisis counseling provider.

Muscogee County Prison has a memoranda of understanding with the Sexual Assault Support Center.

§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)

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

Based on review of GDC SOP 208.06 IV. E.4 and review of the website

Muscogee County Prison has a method to receive third-party reports of sexual abuse/harassment and distributes publicly, information on how to report sexual abuse and sexual harassment on behalf of an inmate. Visitors can go to www.columbusga.org/MCP

§115.61 Staff and agency reporting duties

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

Based on review of GDC SOP 208.06 ICV.F.1 (g-i); Staff Guide on the Prevention and Reporting of Sexual Misconduct with Offenders and interviews with random staff; warden and medical staff I find they meet this standard.

Muscogee County Prison 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 Muscogee County Prison; 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. In accordance with GDC SOP 208.06, all personnel at Muscogee County Prison are provided with PREA training that instructs them on the proper procedure for reporting any incidents that are in any way related to PREA. In accordance with GDC SOP 208.06, any sexual abuse information obtained by medical and mental health personnel will be reported per policy to the appropriate personnel within Muscogee County Prison.

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. Muscogee County Prison’s staff is instructed through PREA training that any information obtained is limited to a need-to-know basis for staff, and only for the purpose of treatment, security, and management decisions, such as housing, work, education and programming assignments. Information is not to be indiscriminately discussed. Supervisors will always remind staff of this issue when staff report PREA-related issues to their supervisor.

If the alleged victim is considered a vulnerable adult under a State or local vulnerable person’s statute, Muscogee County Prison reports the allegation to the designated State or local services agency under applicable mandatory reporting laws. Muscogee County Prison follows all State and Federal PREA policies and will comply with this standard in the event offenders under the age of 18 or inmate considered vulnerable are involved in a PREA-related issue. This will be done in accordance with GDC SOP 208.06 and in coordination with GDC Internal Investigations.

Muscogee County Prison reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to Muscogee County Prison’s designated investigators. In accordance with GDC SOP 208.06, all allegations of sexual abuse and sexual harassment, including third party and anonymous reports, will be reported to the Muscogee County Prison, SART, the Mayor; GDC Statewide PREA Coordinator, and the GDC Internal Investigations Unit. The Warden will be responsible for ensuring these notifications are made as soon as possible.

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

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

Based on review of GDC SOP 208.06 IV. F.2 and interviews with random staff, and warden I find they meet this standard.

Immediate action is taken to protect inmates when Muscogee County Prison learns that an inmate is subject to a substantial risk of imminent sexual abuse. If an inmate at Muscogee County Prison is determined to be in imminent danger of sexual abuse, the Warden will be notified immediately and the inmate will be housed in Administrative Segregation immediately in order to protect them.

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

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

Based on review of GDC SOP 208.06 IV. F.3 and interview with warden I find they meet this standard.

Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Muscogee County Prison that received the allegation notifies the head of Muscogee County Prison or appropriate office of Muscogee County Prison where the alleged abuse occurred. Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented. In cases where an inmate of Muscogee County Prison is sexually abused while confined at another facility the PREA Compliance Manager will immediately upon notification notify the head of that facility, Muscogee County Prison’s Warden, SART, the GDC PREA Coordinator, and GDC Internal Investigations.

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

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

Based on GDC SOP 208.06 IV. F.4; Local Procedure Directive Coordinated Response and interview with security staff who are first responders and random staff I find they meet this standard.

Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond separates the alleged victim and abuser; preserves and protects any crime

scene until appropriate steps can be taken to collect any evidence; and if the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and if the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Muscogee County Prison has a local policy outlining the steps to take as a first responder.

If the first staff responder is not a security staff member, the responder request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff. All non-security staff interviewed acknowledged they had been trained on what to do in the event a sexual assault was reported to them.

§115.65	Coordinated response
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on GDC SOP 208.06 IV. F.5; Local Procedure Directive Coordinated Response and interview with warden I find they meet this standard.

Muscogee County Prison has a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership. Muscogee County Prison as a written Coordinated Response plan that identifies the roles of each individual involved in the PREA investigations.

§115.66	Preservation of ability to protect inmates from contact with abusers
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Not applicable

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

Muscogee County Prison does not have collective bargaining.

§115.67	Agency protection against retaliation
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. F. 6 (a-c); local Procedure Directive and interview with warden, designated staff member with monitoring retaliation; inmates in segregation for risk of sexual victimization I find they meet this standard.

Muscogee County Prison 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 designate which staff members or departments are charged with monitoring retaliation. Muscogee County Prison personnel will protect inmates and staff who report sexual abuse, sexual misconduct, or sexual harassment from retaliation. The appointing authority shall identify a responsible party or local department in the Local Procedure Directive (GDC SOP IIA21-0001 Attachment 9-Local Procedure Directive) to monitor for retaliation. Anyone who retaliates against a staff member or an offender who has reported in good faith an allegation of sexual abuse or sexual harassment in good faith shall be subject to disciplinary action.

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

For at least 90 days following a report of sexual abuse, Muscogee County Prison 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 are periodic status checks performed. Items Muscogee County Prison should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Muscogee County Prison continues such monitoring beyond 90 days if the initial monitoring indicates a continuing need. The appointing authority's designee for monitoring retaliation shall, for at least 90 days following a report of abuse, monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are any changes that may suggest possible retaliation, and will act promptly to remedy any such retaliation. This monitoring will include review of any inmate disciplinary reports, housing or program changes, or negative performance reviews or reassignments of staff. Such monitoring shall continue beyond 90 days if the initial monitoring indicates a continuing need.

If any other individual who cooperates with an investigation expresses a fear of retaliation, Muscogee County Prison takes appropriate measures to protect that individual against retaliation. If any other individuals/inmates, who are cooperating with the investigation, feel a need for retaliation monitoring, the appointed staff for the victim will also serve in this capacity for these identified individuals.

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. F. 13 and interview with warden and inmates in segregation for risk of sexual victimization I find they meet this standard.

Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse receive all the same rights and privileges as general population inmates.

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. G.3; In-Service Training record and NIC PREA: Investigating Sexual Abuse in a Confinement Setting Certificates; Corrections Training Roster and interview with investigative staff I find they meet this standard.

When Muscogee County Prison conducts its own investigations into allegations of sexual abuse and sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. All initial abuse and harassment allegation investigations will be conducted by Muscogee County Prison Sexual Abuse Response Team (SART). Substantiated SART investigations on state inmates will immediately be referred to the Georgia Department of Corrections OIC Criminal Investigations Division and unsubstantiated SART investigations shall be referred to the Office of Professional Standards for an administrative review. All investigations involving county inmates are referred to Muscogee County Sheriff Department.

Where sexual abuse is alleged, Muscogee County Prison uses investigators who have received special training in sexual abuse investigations. All SART team members are required to attend additional PREA training. They attend the state mandated training out of Forsythe GA as well as take the NIC training for Investigating Sexual Abuse in a Confinement Setting.

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. Muscogee County Prison follows the

procedures set forth in policy number 208.06. Muscogee County Prison will follow a uniform evidence protocol that maximizes the potential for obtaining usable (physical) evidence for administrative proceedings and criminal prosecutions. The response to sexual assault follows the U.S. Department of Justice's Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents, dated April 2013, or the most current version. SANE protocols and SART investigation procedures are initiated.

When the quality of evidence appears to support criminal prosecution, Muscogee County Prison conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. The Warden immediately ensures an investigation is referred to the GDC Internal Investigations Unit. Referrals to outside law enforcement agencies will be made with the cooperation of the Internal Investigations Unit.

The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. No agency requires an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. Muscogee County Prison complies with this standard by following policies and procedures as outlined in the Georgia Department of Corrections policy number 208.06 in regard to PREA investigations regardless of the credibility of those individuals involved.

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

Criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. Criminal investigation reports involving a PREA investigation will be maintained locally as part of the SART investigation for a period of no less than three years in the office of the Deputy Warden of Security.

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

Muscogee County Prison retains all written reports for as long as the alleged abuser is incarcerated or employed by Muscogee County Prison, plus five years. Muscogee County Prison complies with this standard by following policies and procedures as outlined in the Georgia Department of Corrections policy number 208.06 in regard to PREA Investigations concerning criminal prosecutions.

The departure of the alleged abuser or victim from the employment or control of Muscogee County Prison or agency does not provide a basis for terminating an investigation. Muscogee County Prison complies with this standard by following policies and procedures as outlined in the Georgia Department of Corrections policy number 208.06 in regard to PREA Investigations concerning criminal prosecutions.

§115.72

Evidentiary standard for administrative investigation

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV. G. 14 and interview with investigative staff I find they meet this standard.

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

§115.73

Reporting to 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)

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

Based on review of GDC SOP 208.06 IV. G.15; PREA Notification Letter and **interview** with warden and investigative staff I find they meet this standard.

Following an investigation into an inmate's allegation that they suffered sexual abuse in an agency facility, Muscogee County Prison informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. Muscogee County Prison complies with this standard by following Georgia Department of Corrections policy number 208.06, which states, "Muscogee County Prison shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This will be completed by a member of the local SART unless the appointing authority delegates to another designee under certain circumstances. Such notifications or attempted notifications shall be documented. Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, and upon completion of the Internal Investigation, an assessment of the appropriateness of notification will be made by the Appointing Authority in consultation with Departments Legal Office. If determined that notification is appropriate, it will be made in accordance with 28 CFR § 115.73."

If Muscogee County Prison did not conduct the investigation, it requests the relevant information from the investigative agency in order to inform the inmate. Muscogee County Prison obtains a copy of the investigation document and makes proper notification to the inmate as defined by policy.

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, Muscogee County Prison subsequently informs the inmate (unless Muscogee County Prison has determined that the allegation is unfounded) whenever the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at Muscogee County Prison; Muscogee County Prison learns that the staff member has been indicted on a charge related to sexual abuse within Muscogee County Prison; or Muscogee County Prison learns that the staff member has been convicted on a charge related to sexual abuse within

Muscogee County Prison. Muscogee County Prison will comply with this directive by following Georgia Department of Corrections policy 208.06 which states, "Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, and upon completion of the Internal Investigation, an assessment of the appropriateness of notification will be made by the Appointing Authority in consultation with Department's Legal Office. If determined that notification is appropriate, it will be made in accordance with 28 CFR § 115.73."

Following an inmate's allegation that they had been sexually abused by another inmate, Muscogee County Prison subsequently informs the alleged victim whenever Muscogee County Prison learns that the alleged abuser has been indicted on a charge related to sexual abuse within Muscogee County Prison; or Muscogee County Prison learns that the alleged abuser has been convicted on a charge related to sexual abuse within Muscogee County Prison.

All such notifications or attempted notifications are documented. Muscogee County Prison adheres to the policy defined above as provided for in Georgia Department of Corrections policy number 208.06. All PREA documentation is restricted to only necessary staff as clearly outlined in GDC policy.

An agency's obligation to report under this standard is terminated if the inmate is released from Muscogee County Prison's custody. Muscogee County Prison adheres to this standard by following Georgia Department of Corrections policy number 208.06 in which it states, "Muscogee County Prison shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This will be completed by a member of the local SART unless the appointing authority delegates to another designee under certain circumstances. Such notifications or attempted notifications shall be documented. A Department's obligation to report under this standard shall terminate if the inmate is released from the Department's custody."

§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)

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

Based on review of GDC SOP 208.06 IV. H; Sexual Abuse/Sexual Assault Misconduct Acknowledgement Statement I find they meet this standard.

No staff have been disciplined for a PREA related incident.

Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse. In accordance with GDC SOP 208.06, staff who engage in sexual misconduct with offenders shall be banned from correctional institutions and subject to disciplinary action, up to and including termination, and may also be referred for criminal prosecution, when appropriate.

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. In accordance with GDC SOP 208.06, disciplinary sanctions for violations of GDC policy relating to sexual abuse or sexual harassment will be commensurate with the nature of the circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies. All Muscogee County Prison's staff/contractors that do not adhere to the PREA standards set forth in Georgia Department of Corrections policy number 208.06 will be subject to the disciplinary standards as defined by that same policy. Staff members who are found to have engaged in sexual misconduct/abuse shall be banned from correctional institutions or subject to disciplinary sanctions up to and including termination. Staff may also be referred for criminal prosecution. Contractors and Volunteer who engage in sexual abuse will be prohibited from contact with inmates and reported to law enforcement agencies, unless the activity was not criminal. Appropriate licensing agencies and/or the Georgia Peace Officer Standards and Training Council will be notified, when appropriate.

§115.77

Corrective action for contractors and volunteers

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

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

Based on review of GDC SOP 208.06 IV. H.2; Sexual Assault/Sexual Misconduct Acknowledgement Statement; Sexual Assault/Sexual Misconduct Acknowledgement Statement Supervised Visitors and interview with warden I find they meet this standard.

No volunteer/contractor has been involved in a PREA related incident.

Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. Muscogee County Prison's staff will immediately remove any contractor or volunteer from Muscogee County Prison if they engage in sexual abuse. The contractor/volunteer will be prohibited from contact with residents and will reported to the appropriate law enforcement agency. The relevant licensing body will also be notified.

Muscogee County Prison 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. All Muscogee County Prison's volunteers and contractors that do not adhere to the PREA standards set forth in Georgia Department of Corrections policy number 208.06 will be subject to the disciplinary standards as

defined by that same policy. Remedial measures may include prohibiting contact with residents and reporting the incident to the appropriate law enforcement agency.

§115.78

Disciplinary sanctions for inmates

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of GDC SOP 208.06 IV.H.3; SOP IIB02-0001; Disciplinary codes and interview with medical staff I find they meet this standard.

No inmate has been involved in an inmate on inmate sexual assault.

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. Muscogee County Prison will subject inmates to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or a criminal finding of guilt for inmate-on-inmate sexual abuse. These sanctions will be imposed in accordance with GDC SOP IIB02-0001 and 208.06.

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. 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. Sanctions are covered by GDC SOP IIB02-0001.

The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his behavior when determining what type of sanction, if any, should be imposed. GDC SOP IIB02-0001 requires staff to consider an inmate's mental disability or mental illness during the disciplinary hearing process and when determining appropriate sanctions. GDC SOP VG34-0001 also addresses this issue. Therapy, counseling or other interventions can be offered to address and correct underlying reasons or motivations for the abuse. Muscogee County Prison will consider whether to offer therapy, counseling, or other interventions to require the offending inmate and whether to require the offender to participate in such interventions as a condition of access to programming or other benefits.

Muscogee County Prison disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

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.

Muscogee County Prison prohibits all sexual activity between inmates and may discipline inmates for such activity. Muscogee County Prison has disciplinary offenses not allowing sexual activity between offenders.

§115.81 Medical and Mental health screening; 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)

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

Based on review of GDC SOP 208.06; Medical PREA Log and **interview** with staff responsible for risk screening and medical staff I find they meet this standard.

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

If the screening indicates that an inmate has previously perpetrated sexual abuse/prior sexual victimization, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening. Mental Health services for state inmates is provided at Rutledge State Prison across the street and if it is a county inmate mental health services are provided by a psychiatrist from Muscogee County Jail.

Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

Medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting.

§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)

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

Based on interview with medical staff I find they meet this standard.

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

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

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

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

§115.83

ongoing medical and mental health care for sexual abuse victims

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

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

Based on review of GDC SOP VG20-0001; MH/MR Services; medical PREA log and interview with medical staff I find they meet this standard.

Muscogee County Prison offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. In providing ongoing medical treatment services, Muscogee County Prison utilize the medical services of Correct Care Solutions medical staff. In providing ongoing mental health services Muscogee County Prison utilizes the services of Rutledge State Prison mental health professionals. These services will be provided at no cost to the inmate in the case of sexual abuse victims or abusers.

The evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. In providing follow-up services, Muscogee County Prison medical, GDC medical and mental health staff will utilize treatment plans, referrals and, if necessary, placement in other facilities.

Muscogee County Prison provides such victims with medical and mental health services consistent with the community level of care. Medical and mental health staff will provide services consistent with the community level of care. This is consistent with GDC SOP VH-08-0002.

Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. All Muscogee County Prison's inmates who are victims of Sexual assault are treated by the Sexual Assault Nurse Examiner (SANE). Depending on the circumstances of the abuse, testing for sexually transmitted infections may be conducted at Muscogee County Prison or at Midtown Medical Center at no cost to the resident.

Treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Muscogee County Prison does not charge residents for PREA related treatments or services.

Muscogee County Prison shall attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners. All Muscogee County Prison's inmate's that have been identified as having PREA concerns are interviewed by the local PREA Coordinator as part of the intake process. Any inmates who are known to be inmate-on-inmate abusers will be referred for mental health treatment immediately. Treatment will be provided, at no cost to the inmate, as long as the mental health professionals deem it necessary.

§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)

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

Based on review of GDC SOP 208.06 IV. J. and interview with warden, PREA compliance manager; incident review team I find they meet this standard.

Muscogee County Prison conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. This review occurs within 30 days of the conclusion of the investigation. The review team includes upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.

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 Muscogee County Prison; and they examine the area in Muscogee County Prison 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.

§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)

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

Based on review of annual report on the website and interview with PREA Compliance Manager I find they meet this standard.

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

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

Muscogee County Prison maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Muscogee County Prison obtains incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

Upon request, Muscogee County Prison provides all such data from the previous calendar year to the Department of Justice no later than June 30.

§115.88	Data review for corrective action
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of annual report I find they meet this standard.

Muscogee County Prison 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 Muscogee County Prison as a whole.

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

Muscogee County Prison's report is approved by Muscogee County Prison head and made readily available to the public through its website www.columbusga.org/MCP

§115.89	Data storage, publication and destruction
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Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of annual report I find they meet this standard.

Muscogee County Prison makes all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website www.columbusga.org/MCP

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

AUDITOR CERTIFICATION:

The auditor certifies that the contents of the report are accurate to the best of her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of Muscogee County Prison under review.

Katherine Brown

May 5, 2016

Auditor Signature

Date