

PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS

Date of report: December 14, 2015

Auditor Information			
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Telephone number: (804) 980-6379			
Date of facility visit: November 17-19, 2015			
Facility Information			
Facility name: Central Mississippi Correctional Facility			
Facility physical address: 3794 Highway 468 Pearl, MS 39208			
Facility mailing address: <i>(if different from above)</i> PO Box 88550, Pearl, MS 39288-8550			
Facility telephone number: (601) 932-2880			
The facility is:	<input type="checkbox"/> Federal	<input checked="" type="checkbox"/> State	<input type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input checked="" type="checkbox"/> Prison	<input type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Ronald King, Superintendent			
Number of staff assigned to the facility in the last 12 months: 1192			
Designed facility capacity: 3557			
Current population of facility: 2923			
Facility security levels/inmate custody levels: Minimum, Medium, Close and Death Row			
Age range of the population: 13-86			
Name of PREA Compliance Manager: Alice Arnold		Title: PREA Manager/Corrections Supervisor	
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Agency Information			
Name of agency: Mississippi Department of Corrections			
Governing authority or parent agency: <i>(if applicable)</i> N/A			
Physical address: 633 N. State Street, Jackson, MS 39202			
Mailing address: <i>(if different from above)</i> N/A			
Telephone number: (601) 359-5600			
Agency Chief Executive Officer			
Name: Marshall Fisher		Title: Commissioner	
Email address: mfisher@mdoc.state.ms.us		Telephone number: (601) 359-5600	
Agency-Wide PREA Coordinator			
Name: Marcia Stingley		Title: Statewide PREA Coordinator	
Email address: mstingley@mdoc.state.ms.us		Telephone number: (601) 359-5547	

AUDIT FINDINGS

NARRATIVE

The PREA audit of Central Mississippi Correctional Facility (CMCF) was conducted Tuesday, November 17, 2015 through Thursday, November 19, 2015. The audit team consisted of Lead Certified PREA Auditor Alton Baskerville and Assistant Phyllis Baskerville. The audit team wishes to thank Superintendent Ronald King and his staff for the hospitality, cooperation and professionalism shown us at (CMCF). The audit team met in the administrative conference room at 8:30 AM on the first day of the audit with the following persons present: Superintendent Ronald King, Brian Ladner, Warden, Wendell Banks, Warden, Leander Parker, Warden, Joann Shivers, Deputy Warden, James Fillyaw, Deputy Warden, Tina Ladner, Associate Warden, Georgia Shelby, Deputy Warden, Alice Arnold, PREA Manager, (CMCF), Sean Smith, Director, Corrections Investigation Division/Central Office, Marcia Stingley, Statewide PREA Coordinator/Integrity Investigator, Lola Nelson, PREA Manager/MS State Penitentiary.

After the entry meeting, the audit team began a tour of the entire facility and began interviewing staff and inmates. The pre-audit notice was seen posted throughout the facility. The PREA hotline number was posted in most of the housing units; a couple of housing units did not have the hotline number posted; they had been taken down by someone. It was recommended that the hotline notice be placed inside the tower window or stenciled on the wall. The hotline number in the Maximum Security Unit was not working. It was discovered that the hotline number was incorrect. The correct number was posted and working within 24 hours.

Approximately 120 interior cameras and monitors were being used throughout the facility. They were observed in the Medical Facility, the Reception and Classification Facility and the Maximum Security Facility.

All the housing areas provided privacy when offenders showered and used the toilet area. Security was maintained by the officers in the adjacent towers.

The Youthful Offender Unit (Y.O.U.) was impressive; it was clean, bright, well staffed. The housing area provided both privacy and security for the offenders. The school and the gym were well equipped and appropriately staffed. The (Y.O.U.) was separated from the adult facilities by secure fencing, and strict procedures.

During the course of the audit, the team interviewed 25 random inmates (at least one from each housing unit), and 9 other inmates, including 4 LGBTI inmates, 2 inmates confined to wheelchairs, 1 inmate who disclosed sexual victimization during risk screening, 1 inmate who had difficulty speaking English, and 1 inmate placed in segregated housing (for risk of sexual victimization/who allege to have suffered sexual abuse). One inmate refused to be interviewed. All the inmates interviewed expressed knowledge of PREA reporting procedures and had no problems related to PREA. They all felt safe in the facility, and knew who to contact if they had a problem. I spoke with Ms. Lavette Johnson, Director of MS Coalition Against Sexual Assault. She stated that there were no requests for assistance from offenders at (CMCF).

The team interviewed 12 random staff members, and 20 specialized staff members. Random staff members were assigned throughout the facility as well as representing day and night shifts. There were several employees who stated they did not receive PREA training this year. A review of the personnel training records verified that some employees had not received the training during the past year. The Superintendent agreed to review the training on all employees; those who needed training will get it within two weeks following the audit. I received documentation that 28 employees received PREA training, bringing the percentage of employees trained to 100% during the past audit year. Some of the specialized staff interviewed included the agency head's designee, the superintendent, volunteer chaplain, staff who perform screening for risk of victimization and abusiveness, investigative staff, staff who supervise inmates in segregated housing, medical and mental health staff, staff member charged with monitoring retaliation, etc. Specialized staff demonstrated knowledge of PREA requirements, and felt confident in carrying out the duties if confronted with an alleged PREA violation.

The audit team had the exit meeting at 9:00 A.M. on November 19, 2015 in the Superintendent's Conference Room. The following persons were present: Ronald King- Superintendent, Wendell Banks- Warden, Brian Ladner- Warden, Leander Parker- Warden (Y.O.U.), James Fillyaw- Deputy Warden, Georgia Shelby- Deputy Warden, Joann Shivers- Deputy Warden, Danny Trigg- Deputy Warden, Alice Arnold- PREA Manager/CMCF, Sean Smith- Corrections Investigation Division/Central Office, Marcia Stingley- Statewide PREA Coordinator/Integrity Investigator, Lola Nelson- PREA Manager/MS State Penitentiary. The audit team gave an overview of its findings, and thanked everyone for their cooperation. At the conclusion of the exit meeting, (CMCF) was in compliance of all the standards except standard 115.31(a)-1. This standard requires the agency to train all employees who have contact with inmate etc. On December 2, 2015, I received documentation that standard 115.31(a)-1 has been met. Central Mississippi Correctional Facility is in full compliance of the PREA Standards.

DESCRIPTION OF FACILITY CHARACTERISTICS

Central Mississippi Correctional Facility I (CMCF I) has a Reception and Classification unit with a capacity of 250 single cells for all newly committed male offenders to the Mississippi Department of Corrections and five administrative segregation cells for females. CMCF IA houses male camp support/working offenders, mail violators of parole and other conditional release programs, court order returns and unclassified offenders. Most of the housing is for male offenders except for a female maximum-security unit with 53 beds. There is a CMCF I Quickbed Unit comprised of three distinct buildings primarily used to house female offenders and newly arrived male offenders not otherwise located in Reception and Classification and CMCF IA. This structure, added in 1995, serves female camp support/working offenders, those attending the alcohol and drug program, initial classification, and medium and minimum-security females. Most of these beds are dormitory style with bunked beds in a large open bay and adjacent showers/lavatories. There is a dayroom area with televisions and collect call only telephones. There are designated units for cell phone violators.

CMCF II, established in October 1996, is operated primarily as an area for special needs and medically disabled male offenders. There are three open bay living units that contain four separate housing units in each. There is a multi-purpose administration/support building at the front of this facility that has an 18 bed single cell segregation unit, known as the Maximum Security Unit, which has been closed for renovations since August 2014. In December 2012, the Youthful Offender Unit opened with its own staff complement. The unit provides academic, vocational and counseling services to juveniles adjudicated to the adult system and remanded to the MDOC.

CMCF Support Services Operations includes the Armory, Common Labor, Emergency Response Team, Food Services/Central Kitchen, K-9 Tactical Unit, Laundry, Offender Recreation Program, Post Office/Mailroom and Transportation Department. CMCF Administrative Departments include ACA Accreditation, Canteen, Chaplain/Religious Programs, Correctional Investigations Department, Education/Vocational Departments, Fire Department, Infirmary, Inmate Administrative Remedy Program, Legal Assistance Department, Mississippi Prison Industries, MIS/Computer Department, Personnel Department, Pre-Release/Alcohol and Drug Department, Property Office, Records Department/Inmate Locator, Statewide Classification, Offender Services, Support Services/Maintenance, Telecommunications, Training, Warehouse, and Wellness Center.

There is a Superintendent's House, and since 2012, three trailer housing units for wardens outside the secure perimeter. There is ample parking for visitors and staff. There are educational spaces, medical clinics, food service and dining areas, recreation areas/gymnasiums, maintenance buildings and a chapel.

SUMMARY OF AUDIT FINDINGS

Number of standards exceeded: 0

Number of standards met: 43

Number of standards not met: 0

Number of standards not applicable: 0

Standard 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator

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

The Mississippi Department of Corrections (MDOC) has a written policy, MDOC Policy 20-14, adopted in October 2004, that mandates zero tolerance towards all forms of sexual abuse and sexual harassment. MDOC Policy 20-14-01 also details implementation of the agency's zero tolerance policy, defines prohibited behavior, outlines strategies and responses to reduce and prevent sexual abuse and sexual harassment, and details sanctions for violators. Additionally, MDOC Policy 03-17, adopted in December 1992, includes definitions of prohibited behaviors regarding sexual harassment and sanctions.

MDOC has an agency-wide PREA coordinator position, identified as Branch Director II in MDOC's organizational chart. CMCF designates PREA compliance responsibilities to the Correctional Supervisor position, and this position reports to the statewide PREA Coordinator, Marcia Stingley.

Standard 115.12 Contracting with other entities for the confinement of inmates

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

MDOC has entered into three contracts for the confinement of inmates since August 20, 2012. All three contracts require adoption and compliance with PREA standards. Additionally, the contracts require MDOC to monitor the contractor's compliance with PREA standards.

Standard 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)

MDOC requires each facility it operates to develop, document and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and where applicable, video monitoring to protect inmates against abuse.

Standard 115.14 Youthful 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)

CMCF prohibits placing youthful inmates in a housing unit where they would have sight or sound contact with any adult inmate through use of a shared dayroom or other common space, shower or sleeping quarters. In the past 12 months, one housing unit at CMCF has been used to assign youthful inmates for sight and sound separation from adult offenders.

Standard 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)

CMCF has implemented policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without non-medical 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 (this includes viewing via video camera).

Standard 115.16 Inmates with disabilities and inmates who are limited English proficient

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

CMCF has established procedures to provide disabled and limited English proficiency inmates equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect and respond to sexual abuse and sexual harassment. MDOC has contracted with an agency for interpreter services to ensure effective communication with inmates with disabilities and limited English proficiency.

Additionally, MDOC Policy 20-14-01 prohibits the use of inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties or investigation of the inmate's allegations.

Standard 115.17 Hiring and promotion decisions

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

MDOC Policy 20-14-01 prohibits the hiring or promoting of anyone who may have contact with inmates who has previously been convicted or adjudicated to have engaged, or attempted to engage, in forced or nonconsensual sexual activity or sexual abuse. MDOC Policy 20-14-01 also requires criminal background record checks to be performed at least every five years for current employees and contractors who may have contact with inmates. In the past 12 months, 687 persons who may have contact with inmates have been hired and have completed criminal background record checks.

Standard 115.18 Upgrades to facilities and technologies

- 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)

CMCF has acquired new facilities or made any substantial expansions or modifications to existing facilities

since August 20, 2012 or the last PREA audit. CMCF has installed or updated a video monitoring system, electronic surveillance system or other monitoring technology since August 20, 2012 or the last PREA audit.

Standard 115.21 Evidence protocol and forensic medical examinations

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

MDOC's Corrections Investigation Division is responsible for conducting sexual abuse investigations as outlined in MDOC Policy 12-05. Additional policies that outline evidence protocol and requirements for forensic medical exams are found in MDOC Policy 16-14 and MDOC Policy 20-14-01. Also, MDOC has signed a Memorandum of Understanding with the Mississippi Coalition Against Sexual Assault (MSCASA) to make MSCASA's services available to victims of sexual assault.

All victims of sexual abuse have access to a forensic medical examination at an outside facility without any cost to them. Examinations are conducted by SANES/SAFEs when available. Within the past 12 months, CMCF had four forensic medical exam conducted by SAFEs/SANEs.

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

CMCF conducts an administrative criminal investigation for all allegations of sexual abuse and sexual harassment as stated in MDOC Policy 20-14-01. During the past 12 months, CMCF received 27 allegations of sexual abuse and sexual harassment, of which 7 resulted in administrative investigations and 2 were referred for criminal investigations. All allegations are referred to the Correction Investigations Division for investigation. At the time of the audit, all investigations had been completed.

Standard 115.31 Employee training

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

MDOC Policy 20-14-01 states that all MDOC employees who may have contact with inmates will be trained on all of the enumerated PREA training curriculum requirements. Employees receive training on PREA requirements at least once a year during annual refresher training, and between trainings, MDOC employs agency directives to provide employees with information about current policies regarding sexual abuse and harassment. In the past 12 months, 1192 employees at CMCF were trained on PREA requirements.

Standard 115.32 Volunteer and contractor training

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the

relevant review period)

- Does Not Meet Standard (requires corrective action)

CMCF trains all volunteers and contractors who have contact with inmates on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection and response. CMCF dedicates a section in its Volunteer Handbook, a tool used for training volunteers and contractors, to educate them on PREA and the agency's applicable policies and procedures. In the past 12 months, 687 volunteers and contractors have received training on these policies.

Standard 115.33 Inmate education

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

Inmates at CMCF receive information at intake about the agency's zero-tolerance policy and how to report incidents or suspicions of sexual abuse or harassment. The intake form is signed by the inmate and maintained by the agency as documentation of the inmate's PREA education. In the past 12 months, 1351 inmates have been admitted to CMCF and received PREA information at intake, and prior to August 20, 2012, all inmates had been educated on PREA.

Standard 115.34 Specialized training: Investigations

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

MDOC conducts its own investigations of allegations of sexual abuse, and MDOC Policy 20-14-01 requires all investigators to be trained in sexual abuse investigations in confinement settings. 3 investigators currently employed at CMCF completed the required PREA training.

Standard 115.35 Specialized training: Medical and mental health care

- 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)

CMCF has medical and mental health care practitioners who work regularly at the facility, all of whom have received the agency's required PREA training in accordance with MDOC Policy 20-14-01. CMCF's medical staff does not conduct forensic examinations.

Standard 115.41 Screening for risk of victimization and abusiveness

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

- Does Not Meet Standard (requires corrective action)

MDOC Policy 20-14-01 requires all inmates to be screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their intake.

Standard 115.42 Use of screening information

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

CMCF uses information from the risk screening to inform housing, bed, work, education and program assignments with the goal of keeping separate inmates at high risk of being sexually victimized from inmates at high risk of being sexually abusive. CMCF makes individualized determinations on how to ensure the safety of each inmate.

Standard 115.43 Protective custody

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

MDOC Policy 20-40-01 states that inmates at high risk for sexual victimization will not be placed in involuntary segregated housing unless no alternatives are available. In the past 12 months at CMCF, no inmates at risk of sexual victimization were held in involuntary segregated housing.

Standard 115.51 Inmate reporting

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

MDOC has established procedures allowing for multiple internal ways for inmates and staff to privately report sexual abuse or harassment of inmates, retaliation and staff neglect or violation of responsibilities that may have contributed to such incidents. MDOC has signed a memorandum of understanding with the Mississippi Coalition Against Sexual Assault to provide their contact information for inmates who wish to confidentially report incidents to an outside entity.

Additionally, CMCF inmates and staff may call a confidential hotline to report suspected instances of sexual assault. Another avenue for inmates to report incidents is to file a grievance; staff may complete an incident report.

Standard 115.52 Exhaustion of administrative remedies

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

- Does Not Meet Standard (requires corrective action)

MDOC Policies 20-14-01 and 20-08 establish administrative procedures for dealing with inmate grievances regarding sexual abuse. In the past 12 months, no grievances were filed of alleged past sexual abuse. In the past 12 months, no grievances were filed for imminent sexual abuse with a final decision reached within five days.

Standard 115.53 Inmate access to outside confidential support services

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

MDOC has signed a memorandum of understanding with the Mississippi Coalition Against Sexual Assault (MCASA) to provide their contact information for inmates who wish to confidentially report incidents to an outside entity. Inmates are provided the contact information for MCASA through distributed written materials.

Standard 115.54 Third-party reporting

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

The MDOC website posts a designated phone number for third parties to call and confidentially report incidents of inmate sexual abuse or sexual harassment. The designated phone number is also visible on PREA Tip Line posters in the institution.

Standard 115.61 Staff and agency reporting duties

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

MDOC Policy 20-14-01 requires staff to immediately report any knowledge, suspicion or information regarding an incident of sexual abuse or harassment, retaliation, or staff neglect or violation of PREA responsibilities. Additionally, the policy states that staff must not reveal any information related to a sexual abuse report beyond what is necessary to share for appropriate follow-up actions.

Standard 115.62 Agency protection duties

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

MDOC Policy 20-14-01 states that when the agency or facility learns that an inmate is subject to a substantial

risk of imminent sexual abuse, immediate action must be taken to protect the inmate. In the past 12 months, there have been no cases where an inmate was determined to be in substantial risk of imminent sexual abuse.

Standard 115.63 Reporting to other confinement facilities

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

MDOC Policy 20-14-01 states that upon receiving an allegation that an inmate was sexually abused while confined at another facility, the facility head or designee will notify the appropriate staff in the agency where the alleged abuse occurred. In the past 12 months, CMCF received 8 allegations that an inmate was abused while confined at another facility.

Standard 115.64 Staff first responder duties

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

In the past 12 months, there were 64 allegations that an inmate was sexually abused. There were no instances when the security staff first responder had to separate the alleged victim and the abuser. In no instances was staff notified in time to collect physical evidence of the sexual assault, and appropriate steps were taken to secure such evidence. There were no instances in the past 12 months where non-security staff served as first responders to an allegation of inmate sexual abuse.

Standard 115.65 Coordinated response

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

MDOC has developed a written institutional plan, reflected in the Sexual Assault Response and Containment Checklist, to coordinate actions among first responders, medical staff, investigators and leadership taken in response to an incident of sexual abuse.

Standard 115.66 Preservation of ability to protect inmates from contact with abusers

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

MDOC has not entered into a collective bargaining agreement that limits its ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.

Standard 115.67 Agency protection against retaliation

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

MDOC Policy 20-14-01 states that all inmates and staff who report sexual abuse or sexual harassment or cooperate with investigations will be protected from retaliation by other inmates or staff and monitored by CMCF designated staff. In the past 12 months, there have been no incidents of retaliation.

Standard 115.68 Post-allegation protective custody

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

MDOC Policy 20-14-01 states that any use of segregated housing to protect an inmate who is an alleged victim of sexual abuse will be subject to the requirements of the policy regarding Protective Custody. In the past 12 months, no inmates were held involuntarily in segregation housing.

Standard 115.71 Criminal and administrative agency investigations

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

MDOC Policies 20-14-10 and 12-05 require that an investigation is conducted and documented whenever a sexual assault or threat is reported, and for all substantiated allegations that appear to be criminal to be referred for prosecution. Since August 20, 2012, no allegations were referred for prosecution.

Standard 115.72 Evidentiary standard for administrative investigations

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

MDOC Policy 20-14-01 states that no standard higher than a preponderance of the evidence will be used in determining whether allegations of sexual abuse or sexual harassment are substantiated.

Standard 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)

MDOC Policy 20-14-01 states that following an investigation the agency will inform the offender as to whether the allegation has been substantiated, unsubstantiated or unfounded. In the past 12 months, 28 inmates filed complaints alleging sexual abuse. All were notified of the results of their investigation.

Standard 115.76 Disciplinary sanctions for staff

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

MDOC Policy 20-14-01 states that staff will be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. In the past 12 months, no staff has been found in violation of PREA policies, and therefore, no disciplinary sanctions have been warranted.

Standard 115.77 Corrective action for contractors and volunteers

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

MDOC Policy 20-14-01 states that any contractor or volunteer who engages in sexual abuse will be prohibited from contract with inmates and will be reported to the Corrections Investigations Division. In the past 12 months, there have been no allegations of sexual abuse against contractors or volunteers.

Standard 115.78 Disciplinary sanctions for inmates

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

MDOC Policy 20-14-01 states that inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate sexually abused another inmate. In the past 12 months, there are 17 administrative findings of inmate-on-inmate sexual abuse that have been audited.

Standard 115.81 Medical and mental health screenings; history of sexual abuse

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

MDOC Policy 20-14-01 requires all inmates identified as high risk with a history of sexually assaultive behavior or sexual victimization be assessed by a mental health or other qualified professional within 14 days. MDOC policy also satisfies the informed consent requirements of this standard.

Standard 115.82 Access to emergency medical and mental health services

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

MDOC Policy 12-40-01 provides for timely, unimpeded access to emergency medical treatment and crisis intervention services without any cost to the inmate.

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

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

MDOC Policy 20-14-01 states that CMCF will offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse consistent with the community level of care.

Standard 115.86 Sexual abuse incident reviews

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

MDOC Policy 20-14-01 states that CMCF will conduct sexual abuse review at the conclusion of every sexual abuse investigation unless the allegation has been determined unfounded. This review will take place 30 days after the conclusion of the investigation and will be conducted by the facility head, the statewide PREA coordinator and the PREA Manager. The Annual PREA Report documents CMCF's efforts to improve policies for more effective compliance with PREA.

Standard 115.87 Data collection

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

Pursuant to MDOC Policy 20-14-01, MDOC uses a standard form and definitions sheet to facilitate the uniform collection of data for every sexual abuse allegation. MDOC Policy states that the agency will collect incident data at least annually, and upon request, will provide such data for the previous calendar year to the Department of Justice.

Standard 115.88 Data review for corrective action

- Exceeds Standard (substantially exceeds requirement of standard)
- X Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

relevant review period)

- Does Not Meet Standard (requires corrective action)

MDOC Policy 20-14-01 requires the agency to review data collected in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. Annual reports, approved by the MDOC Commissioner, containing institutional assessment information are posted online at www.mdoc.state.ms.us.

Standard 115.89 Data storage, publication, and destruction

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

MDOC Policy 20-14-01 states that the agency will ensure that data is securely retained, and personal identifiers are removed before making data on sexual abuse publicly available.

AUDITOR CERTIFICATION

I certify that:

- The contents of this report are accurate to the best of my knowledge.
- No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

Alton Baskerville

December 14, 2015

Auditor Signature

Date