

NATIONAL
PREA
RESOURCE
CENTER



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

**PREA COMPLIANCE AUDIT INSTRUMENT – INTERVIEW GUIDE OF FACILITY DIRECTOR
(or DESIGNEE)**

Lockups
July 13, 2014

1. Does your lockup have a staffing plan? *(115.113)*
 - a. Are adequate staffing levels to protect detainees against sexual abuse considered in this plan, and if so, how? *(115.113)*
 - b. Is video monitoring part of this plan? *(115.113)*
 - c. Is the staffing plan documented, and if so, where? *(115.113)*
2. When assessing adequate staffing levels and the need for video monitoring, please explain if and how the facility staffing plan considers: *(115.113)*
 - a. The physical layout of each lockup;
 - b. The composition of the detainee population;
 - c. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
 - d. Any other relevant factors.
3. How do you check for compliance with the staffing plan? *(115.113)*
4. Does the facility document *all* instances of non-compliance with the staffing plan? *(115.113)*
 - a. If YES, does this documentation include explanations for non-compliance?
5. *If any substantial expansions or modifications to the facility since August 20, 2012, or the last PREA audit (whichever is later), have been noted within the materials collected in advance, ask: How has the facility considered the effect of the expansion or modification upon the facility's ability to protect detainees from sexual abuse? (115.118)*
6. When installing or updating monitoring technology, such as a video monitoring system or electronic surveillance, how has the facility considered using such technology to enhance detainees' protection from sexual abuse? *(115.118)*
7. When you learn that a detainee is subject to a substantial risk of imminent sexual abuse, what protective action does the facility take? *(115.162)*
8. Are juvenile/youthful detainees held separately from adult detainees? *(115.114)*
9. Are *all* allegations of sexual abuse (including those from third-party and anonymous sources) reported directly to designated agency investigators? *(115.161)*
10. *If an outside agency investigates allegations of sexual abuse, ask: How does the facility remain informed of the progress of a sexual abuse investigation? (115.171)*
11. How do you respond when an allegation of sexual abuse or sexual harassment is made by someone under the age of 18 or someone considered a vulnerable adult under state or local law? *(115.161)*
12. What happens when your facility receives an allegation from another facility or agency that an incident of sexual abuse or sexual harassment occurred in your facility? *(115.163)*
13. Are there examples of another facility or agency reporting such allegations? *(Probe for information about response to allegation.) (115.163)*

14. Does the facility have a plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership in response to an incident of sexual abuse? (115.165)
15. If a victim is transferred from the lockup to a jail, prison, or medical facility, does the agency inform the receiving facility of the incident? The victim's potential need for medical or social services? (*Probe: under what circumstances does the agency not inform the receiving facility? E.g., not permitted by law, the victim requests otherwise.*) (115.165)
16. For allegations of sexual abuse or sexual harassment, can you describe the different measures you take to protect detainees and staff from retaliation? (*Probes: Housing changes or transfers, removal of alleged abusers, emotional support services.*) (115.167)
17. What measures do you take when you suspect retaliation? (115.167)
18. In the case of any violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, what remedial measures does your facility take? Does the facility always prohibit further contact with detainees? (115.177)
 - a. In such cases, can you describe examples of the remedial measures that the facility could enforce? (115.177)
19. What actions are taken when there is probable cause to believe that a detainee sexually abused another detainee in a the facility (Probe: referred to the appropriate prosecuting attorney?) (115.178)
20. Does your facility have a sexual abuse incident review team? (115.186)
 - a. If YES, does the team include upper-level management officials and allow for input from line supervisors and investigators? (115.186)
21. How does the team use the information from the sexual abuse incident review? (*Probe: To identify any policy, training, or other issue related to the incident that indicate a need to change policy or practice.*) (115.186)
22. Does the review team: (115.186)
 - a. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; and/or other group dynamics at the facility (by "transgender," I mean: people whose gender identity and/or gender expression does not match the sex and/or gender they were assigned at birth; by "intersex," I mean: an individual born with external genitalia, internal reproductive organs, chromosome patterns, and/or endocrine systems that do not seem to fit typical definitions of male or female; by "gender non-conforming," I mean: individuals who express their gender in a manner that breaks societal norms for one's gender (e.g., someone who identifies as a girl/woman but wears clothing typically assigned to boys/men))?
 - b. Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?
 - c. Assess the adequacy of staffing levels in that area during different shifts?
 - d. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?

23. Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment? *(115.182)*
24. How fast does this typically occur? *(115.182)*