

# PREA Facility Audit Report: Final

**Name of Facility:** Rochester Residential Reentry Center

**Facility Type:** Community Confinement

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 05/28/2025

## Auditor Certification

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.



I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.



**Auditor Full Name as Signed:** Patrick J. Zirpoli

**Date of Signature:** 05/28/2025

## AUDITOR INFORMATION

**Auditor name:** Zirpoli, Patrick

**Email:** pzirpoli@ptd.net

**Start Date of On-Site Audit:** 04/15/2025

**End Date of On-Site Audit:** 04/16/2025

## FACILITY INFORMATION

**Facility name:** Rochester Residential Reentry Center

**Facility physical address:** 175 Ward Street, Rochester, New York - 14605

**Facility mailing address:** 214 Lake Avenue, Rochester, New York - 14608

## Primary Contact

<b>Name:</b>	Pat Drake
<b>Email Address:</b>	pdrake@voaupny.org
<b>Telephone Number:</b>	585-402-7211

<b>Facility Director</b>	
<b>Name:</b>	Dottie Burgess
<b>Email Address:</b>	dburgess@voaupny.org
<b>Telephone Number:</b>	585-402-7417

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	40
<b>Current population of facility:</b>	28
<b>Average daily population for the past 12 months:</b>	39
<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>What is the facility's population designation?</b>	Both women/girls and men/boys
<b>In the past 12 months, which population(s) has the facility held? Select all that apply (Nonbinary describes a person who does not identify exclusively as a boy/man or a girl/woman. Some people also use this term to describe their gender expression. For</b>	

<b>definitions of “intersex” and “transgender,” please see <a href="https://www.prearesourcecenter.org/standard/115-5">https://www.prearesourcecenter.org/standard/115-5</a>)</b>	
<b>Age range of population:</b>	18-80
<b>Facility security levels/resident custody levels:</b>	VOA's RRC is a Minimum Security Community Custody Facility
<b>Number of staff currently employed at the facility who may have contact with residents:</b>	17
<b>Number of individual contractors who have contact with residents, currently authorized to enter the facility:</b>	3
<b>Number of volunteers who have contact with residents, currently authorized to enter the facility:</b>	0

#### AGENCY INFORMATION

<b>Name of agency:</b>	Volunteers of America of Upstate New York
<b>Governing authority or parent agency (if applicable):</b>	n/a
<b>Physical Address:</b>	214 Lake Avenue, Rochester, New York - 14608
<b>Mailing Address:</b>	214 Lake Avenue, Rochester, New York - 14608
<b>Telephone number:</b>	585-647-1150

#### Agency Chief Executive Officer Information:

<b>Name:</b>	Dr. Junior Dillion
<b>Email Address:</b>	jdillion@voaupny.org
<b>Telephone Number:</b>	585-402-7203

#### Agency-Wide PREA Coordinator Information

<b>Name:</b>	Pat Drake	<b>Email Address:</b>	pdrake@voaupny.org
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## Facility AUDIT FINDINGS

### Summary of Audit Findings

The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

#### Number of standards exceeded:

7

- 115.211 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
- 115.231 - Employee training
- 115.233 - Resident education
- 115.234 - Specialized training: Investigations
- 115.241 - Screening for risk of victimization and abusiveness
- 115.271 - Criminal and administrative agency investigations
- 115.286 - Sexual abuse incident reviews

#### Number of standards met:

34

#### Number of standards not met:

0

## POST-AUDIT REPORTING INFORMATION

### GENERAL AUDIT INFORMATION

#### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2025-04-15
2. End date of the onsite portion of the audit:	2025-04-16

#### Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	RESTORE the local victim advocacy provider.

### AUDITED FACILITY INFORMATION

14. Designated facility capacity:	40
15. Average daily population for the past 12 months:	39
16. Number of inmate/resident/detainee housing units:	1
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

## **Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit**

### **Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit**

<b>18. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:</b>	24
<b>19. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>20. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:</b>	1
<b>21. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:</b>	1
<b>22. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:</b>	1
<b>23. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>24. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:</b>	2

<b>25. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>26. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>27. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>28. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</b>	0
<b>29. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</b>	No additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit.
<b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b>	
<b>30. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</b>	17
<b>31. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</b>	0

<b>32. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</b>	3
<b>33. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</b>	No additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit.
<b>INTERVIEWS</b>	
<b>Inmate/Resident/Detainee Interviews</b>	
<b>Random Inmate/Resident/Detainee Interviews</b>	
<b>34. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	10
<b>35. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</b>	<div> <input checked="" type="checkbox"/> Age </div> <div> <input checked="" type="checkbox"/> Race </div> <div> <input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) </div> <div> <input checked="" type="checkbox"/> Length of time in the facility </div> <div> <input checked="" type="checkbox"/> Housing assignment </div> <div> <input checked="" type="checkbox"/> Gender </div> <div> <input type="checkbox"/> Other </div> <div> <input type="checkbox"/> None </div>
<b>36. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</b>	<p>The auditor ensured the interviewees were geographically diverse by selecting them using the following characteristics:</p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Race</li> <li>• Length of time in the facility</li> <li>• Housing assignment</li> <li>• Gender</li> </ul>



<b>37. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>38. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</b>	The random resident interviewees included the targeted residents. All residents were asked a set of random questions, and those with specific targeted characteristics were subsequently posed additional questions pertaining to their category.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
<b>39. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	5
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<b>40. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</b>	0
<b>40. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.  <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.

<b>40. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	<p>The auditor engaged with all residents at the facility. None of the residents were identified as having this characteristic.</p>
<b>41. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</b>	<p>1</p>
<b>42. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</b>	<p>1</p>
<b>43. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</b>	<p>1</p>
<b>44. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</b>	<p>0</p>
<b>44. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<b>44. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	<p>The auditor engaged with all residents at the facility. None of the residents were identified as having this characteristic.</p>
<b>45. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b>	<p>2</p>
<b>46. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</b>	<p>0</p>
<b>46. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<b>46. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	<p>The auditor engaged with all residents at the facility. None of the residents were identified as having this characteristic.</p>
<b>47. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</b>	<p>0</p>

<p><b>47. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>47. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>The auditor engaged with all residents at the facility. None of the residents were identified as having this characteristic.</p>
<p><b>48. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</b></p>	<p>0</p>
<p><b>48. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>48. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b></p>	<p>The auditor engaged with all residents at the facility. None of the residents were identified as having this characteristic.</p>

<b>49. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</b>	0
<b>49. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<div> <input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. </div> <div> <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed. </div>
<b>49. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</b>	The facility does not have segregated housing.
<b>50. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</b>	No additional comments regarding selecting or interviewing targeted residents.
<b>Staff, Volunteer, and Contractor Interviews</b>	
<b>Random Staff Interviews</b>	
<b>51. Enter the total number of RANDOM STAFF who were interviewed:</b>	10

<b>52. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</b>	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
<b>53. Were you able to conduct the minimum number of RANDOM STAFF interviews?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>54. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</b>	No additional comments regarding selecting or interviewing random staff.
<b>Specialized Staff, Volunteers, and Contractor Interviews</b>	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
<b>55. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b>	10
<b>56. Were you able to interview the Agency Head?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>57. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No

<b>58. Were you able to interview the PREA Coordinator?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>59. Were you able to interview the PREA Compliance Manager?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No  <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

**60. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)**

- ☐ Agency contract administrator
- ☐ Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment
- ☐ Line staff who supervise youthful inmates (if applicable)
- ☐ Education and program staff who work with youthful inmates (if applicable)
- ☐ Medical staff
- ☐ Mental health staff
- ☐ Non-medical staff involved in cross-gender strip or visual searches
- ☒ Administrative (human resources) staff
- ☐ Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff
- ☒ Investigative staff responsible for conducting administrative investigations
- ☐ Investigative staff responsible for conducting criminal investigations
- ☒ Staff who perform screening for risk of victimization and abusiveness
- ☐ Staff who supervise inmates in segregated housing/residents in isolation
- ☒ Staff on the sexual abuse incident review team
- ☒ Designated staff member charged with monitoring retaliation
- ☐ First responders, both security and non-security staff
- ☒ Intake staff



	<input type="checkbox"/> Other
<b>61. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>62. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>63. Provide any additional comments regarding selecting or interviewing specialized staff.</b>	No additional comments regarding selecting or interviewing specialized staff.
<b>SITE REVIEW AND DOCUMENTATION SAMPLING</b>	
<b>Site Review</b>	
<p>PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.</p>	
<b>64. Did you have access to all areas of the facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>Was the site review an active, inquiring process that included the following:</b>	
<b>65. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No

<b>66. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>67. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>68. Informal conversations with staff during the site review (encouraged, not required)?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>69. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</b>	All observations pertaining to the site review are detailed in the standard discussions.
<b>Documentation Sampling</b>	
Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.	
<b>70. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</b>	<input checked="" type="radio"/> Yes  <input type="radio"/> No
<b>71. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</b>	The auditor independently selected all onsite documentation for review from the original source.

## SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

### Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

Remember the number of allegations should be based on a review of all sources of allegations (e.g., hotline, third-party, grievances) and should not be based solely on the number of investigations conducted. Note: For question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, or detainee sexual abuse allegations and investigations, as applicable to the facility type being audited.

#### 72. Total number of SEXUAL ABUSE allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	0	0	0

**73. Total number of SEXUAL HARASSMENT allegations and investigations overview during the 12 months preceding the audit, by incident type:**

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
<b>Inmate-on-inmate sexual harassment</b>	0	0	0	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0
<b>Total</b>	0	0	0	0

**Sexual Abuse and Sexual Harassment Investigation Outcomes**

**Sexual Abuse Investigation Outcomes**

Note: these counts should reflect where the investigation is currently (i.e., if a criminal investigation was referred for prosecution and resulted in a conviction, that investigation outcome should only appear in the count for “convicted.”) Do not double count. Additionally, for question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, and detainee sexual abuse investigation files, as applicable to the facility type being audited.

**74. Criminal SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:**

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
<b>Inmate-on-inmate sexual abuse</b>	0	0	0	0	0
<b>Staff-on-inmate sexual abuse</b>	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

**75. Administrative SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:**

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	0	0	0	0
<b>Staff-on-inmate sexual abuse</b>	0	0	0	0
<b>Total</b>	0	0	0	0

**Sexual Harassment Investigation Outcomes**

Note: these counts should reflect where the investigation is currently. Do not double count. Additionally, for question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, and detainee sexual harassment investigation files, as applicable to the facility type being audited.

**76. Criminal SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:**

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
<b>Inmate-on-inmate sexual harassment</b>	0	0	0	0	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0	0
<b>Total</b>	0	0	0	0	0

**77. Administrative SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:**

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual harassment</b>	0	0	0	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0
<b>Total</b>	0	0	0	0

**Sexual Abuse and Sexual Harassment Investigation Files Selected for Review**

**Sexual Abuse Investigation Files Selected for Review**

**78. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:**

0

**78. Explain why you were unable to review any sexual abuse investigation files:**

No investigations into sexual abuse or sexual harassment occurred during the auditing period.

<b>79. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)
<b>Inmate-on-inmate sexual abuse investigation files</b>	
<b>80. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b>	0
<b>81. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
<b>82. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
<b>Staff-on-inmate sexual abuse investigation files</b>	
<b>83. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b>	0
<b>84. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)

<b>85. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b>	<input type="radio"/> Yes  <input type="radio"/> No  <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
<b>Sexual Harassment Investigation Files Selected for Review</b>	
<b>86. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	0
<b>86. Explain why you were unable to review any sexual harassment investigation files:</b>	No investigations into sexual abuse or sexual harassment occurred during the auditing period.
<b>87. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b>	<input type="radio"/> Yes  <input type="radio"/> No  <input checked="" type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)
<b>Inmate-on-inmate sexual harassment investigation files</b>	
<b>88. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	0
<b>89. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</b>	<input type="radio"/> Yes  <input type="radio"/> No  <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)



<b>90. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
<b>Staff-on-inmate sexual harassment investigation files</b>	
<b>91. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	0
<b>92. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</b>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
<b>93. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b>	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
<b>94. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</b>	No investigations into sexual abuse or sexual harassment occurred during the auditing period.

## SUPPORT STAFF INFORMATION

### DOJ-certified PREA Auditors Support Staff

95. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.

☐ Yes

☒ No

### Non-certified Support Staff

96. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.

☐ Yes

☒ No

## AUDITING ARRANGEMENTS AND COMPENSATION

97. Who paid you to conduct this audit?

☒ The audited facility or its parent agency

☐ My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)

☐ A third-party auditing entity (e.g., accreditation body, consulting firm)

☐ Other

Standards
Auditor Overall Determination Definitions
<ul style="list-style-type: none"> <li>Exceeds Standard (Substantially exceeds requirement of standard)</li> <li>Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period)</li> <li>Does Not Meet Standard (requires corrective actions)</li> </ul>
Auditor Discussion Instructions
<p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>

115.211	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Organizational Chart</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. PREA Coordinator</li> </ul>

## Site Review

115.211 (a) The facility indicated in their response to the PAQ that the agency has a written policy mandating zero tolerance of all forms of sexual abuse and sexual harassment in facilities it operates directly or under contract. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states Volunteers of America (VOA) shall comply with the Prison Rape Elimination Act (PREA) of 2003. PREA mandates the elimination, reduction, and prevention of sexual assault and rape in prisons, jails, and community confinement facilities (half-way houses) housing adult male and female residents such as the Residential Parole Program and Residential Reentry Center operated by Volunteers of America of Upstate NY. In compliance with PREA, VOA has a zero-tolerance stance towards all forms of sexual abuse and sexual harassment. This policy is applicable to residents, staff, volunteers, visitors, and contractors. The zero-tolerance stance includes education, prevention, detection and responding to sexual abuse and sexual harassment incidents immediately. I reviewed the policy in its entirety, as well as questioned staff members on its content and applicable sections to their specific duties within the facility. The staff understood the policy and its practical application to the daily operation of the facility. The policy defines all prohibited acts.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.211 (b). The facility indicated in their response to the PAQ that the agency employs or designates an upper-level, agency-wide PREA Coordinator who has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. The agency has designated an agency wide PREA Coordinator. During the interview, she related that she has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. I found the Agency PREA Coordinator to be well versed in the PREA Standards and their daily application. The PREA Coordinator is in the upper level of management and reports directly to the President/CEO.

During the interviews at the facility, I was informed that the Agency PREA Coordinator is always accessible to answer questions and provide advice on PREA related issues. I was also advised that the Agency PREA Coordinator will spot check the facilities to ensure that they are consistent in the application of the agency policies that apply to PREA.

Prior to the onsite audit all documentation was reviewed, during the onsite portion I observed the policies in daily practice, and this was further confirmed during my interviews with both staff and residents.

A final analysis of the evidence indicates the agency is in substantial compliance

	<p>with this provision.</p> <p>The agency has assigned a PREA Compliance Manager to each of its facilities that are required to be compliant with the standards. This practice far exceeds the provision requirements.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with these provisions of the standard.</p>
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<b>115.212</b>	<b>Contracting with other entities for the confinement of residents</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <p>a. Pre-Audit Questionnaire</p> <p>Interviews</p> <p>a. PREA Coordinator</p> <p>115.212 (a)(b). The agency indicated in the PAQ that they have not entered into or renewed a contract for the confinement of residents on or after August 20, 2012, or since the last PREA audit, whichever is later. The PREA Coordinator confirmed that the agency does not contract for the housing of residents. The agency contracts with the Bureau of Prisons to house residents.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the</p>

	<p>Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with these provisions of the standard.</p>
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<b>115.213</b>	<b>Supervision and monitoring</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Staffing Plan FY 2025</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. PREA Coordinator</li> <li>b. Director</li> <li>c. Random Staff</li> </ul> <p>Site Review</p> <p>115.213 (a). The facility indicated in their response to the PAQ that the agency 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. Compliance was determined by reviewing the policies. I further questioned the staff about the policies and the ability to fully staff the facility. I was informed that the facility utilizes overtime if needed. The staffing plan is based on an average daily population of 40 residents. According to the auditor’s interview with the Director and PREA Coordinator, the agency has adopted a model based upon the current</p>

staffing levels and is determined by identifying daily population needs. The auditor's review of the agency's staffing plan revealed the agency is detailed in defining what positions are required to meet minimum staffing levels on each shift.

During the site review, no areas were identified that needed additional or enhanced supervision. The site review revealed sound correctional practices that serve to mitigate risk presented by physical plant, video surveillance, and/or staffing limitations (i.e. regular unannounced rounds; locked doors; open or low shelving; mirrors; controlled movement; open floor plans; adequate supervision ratios; etc.).

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.213 (b). The facility indicated in their response to the PAQ that each time the staffing plan is not complied with the facility documents and justifies all deviations from the staffing plan. In the past 12 months, the facility reported that there have been no deviations from the staffing plan. The staff confirmed any deviations from the staffing plan are documented and the Director is notified.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.213 (c) The agency indicated in their response to the PAQ that at least once every year the agency, in collaboration with the PREA Coordinator, reviews the staffing plan to see whether adjustments are needed to the staffing plan; the deployment of monitoring technology; or the allocation of agency/agency resources to commit to the staffing plan. During discussions with the PREA Coordinator it was confirmed this annual review process took place FY 2025 and was reviewed and approved by the PREA Coordinator on 3/28/25. The documentation was reviewed and was found to meet all provisions of the standard.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with these provisions of the standard.

115.215	Limits to cross-gender viewing and searches
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Standard Operating Procedures Residential Reentry Center</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Staff</li> <li>b. Residents</li> </ul> <p>Site Review</p> <p>115.215 (a). The agency indicated in their response to the PAQ that the agency does not conduct cross-gender strip or cross-gender visual body cavity searches of residents. In the past 12 months, the staff have conducted zero cross- gender strip or cross-gender body cavity searches. This practice was confirmed by the residents and staff during interviews.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.215 (b)(c). The agency indicated in their response to the PAQ that the facility refrains from conducting cross-gender pat-down searches of female residents, except in exigent circumstances and does not restrict access to available programming. The facility houses both male and female residents; the female residents are not prohibited from attending programming or other activities. The facility does not conduct pat searches as a normal practice when residents are moving throughout the facility. This process was confirmed by both the interviewed staff and residents and observed during the audit. Standard Operating Procedures Residential Reentry Center states the following regarding searches:</p>



When signing into the facility, residents will empty all pockets and show the PSO all belongings, including the contents of shopping bags, wallets, etc. Jackets, hats and outerwear that may impede a pat search will be removed and searched in front of the resident. The PSO will ensure that there are no contraband items, and that the resident has appropriate property passes. Except in unusual circumstances which will be documented in SecurManage as part of the sign-in process, an RRC staff will then pat search and scan the resident with a metal detector wand. I confirmed with staff if a cross gender search of a female occurred under exigent circumstances this would be documented in the SecurManage system.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.215 (d). The agency indicated in their response to the PAQ that the agency has implemented policies and procedures that enable residents 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 checks. The Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy mandates that residents at the program are able to shower, perform bodily functions, and change clothing without staff of the opposite gender viewing their buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine room checks. Staff of the opposite gender announce their presence when entering a resident room or bathroom where residents are likely to be showering, performing bodily functions or changing clothes. Staff of the same gender are used whenever possible.

During the onsite audit phase, the auditor viewed the shower areas and toilet areas from multiple vantage points, to ensure that staff did not have the ability to observe genitalia. The auditor's view of these areas confirmed that staff did not have the ability to see inside the showers or toilets which were outfitted with doors and curtains. The showers and toilets are adequately private and are single occupancy with a closing door or shower curtain.

All residents interviewed stated they have not been observed by an opposite gender staff member in a state of undress. All staff members affirmed that there are policies and procedures in place to prevent opposite gender viewing.

The auditor heard opposite gender announcements being made when a opposite gender staff member was not already present. Random interviewed staff members stated that the announcement is consistently completed. All interviewed residents confirmed the announcements were made.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.215 (e). The agency indicated in their response to the PAQ that the agency has a policy prohibiting staff from searching or physically examining a transgender or intersex residents for the sole purpose of determining the resident 's genital status. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states staff are prohibited from searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident's genital status. When gender is unknown, it may be determined:

- during conversations with the resident,
- by reviewing medical records or prior custody situation.
- if necessary by learning that information as part of a broader medical examination conducted in private by a medical practitioner

In accordance with the policy, the agency reported that no such search has occurred in the past 12 months. Interviews with staff confirmed that agency policy prohibits them from searching a transgender or intersex resident for the sole purpose of determining the resident 's genital status.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.215 (f). The agency indicated in their response to the PAQ that 100 percent of all security staff received training on conducting cross-gender pat-down searches and searches of transgender and intersex residents in a professional and respectful manner, consistent with security needs. Standard Operating Procedures Residential Reentry Center states that pat searches are conducted by staff who are trained in pat searches and who are the same gender as the resident being searched. The facility provided documentation showing all staff have been trained on how to conduct a proper cross-gender pat-down search and searches of transgender and intersex residents. All staff interviewed confirmed they have been trained and were able to describe the correct way to conduct the search.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with these provisions of the standard.

<b>115.216</b>	<b>Residents with disabilities and residents who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Spanish PREA Information</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Random staff</li> <li>b. Targeted Residents</li> </ul> <p>Site Review</p> <p>115.216 (a). The agency indicated in their response to the PAQ that they agency has established procedures to provide disabled residents equal opportunity to participate in or benefit from all aspects of the agency’s efforts to prevent, detect, and respond to sexual abuse or sexual harassment Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states:</p> <p>Residents with Disabilities and/or Limited English Proficiency- §115.216</p> <p>Residents under this category include:</p> <p>(1) Limited English proficient. VOA will provide a PREA-trained staff person fluent in the resident’s native language or access Language Line Solutions. RRC Rochester will contact Language Intelligence at 16 North Goodman Street, Rochester, NY 14607. Phone No. 585-244-5578.</p> <p>Email: <a href="mailto:info@languageintelligence.com">info@languageintelligence.com</a>.</p> <p>(2) Deaf – If the individual is able to read and write, staff will communicate through</p>

writing and use of cell phones to text information. If the resident needs further assistance, staff will contact a sign language interpreter from an ASL Interpreter Service through Rochester School for the Deaf or Rochester Institute of Technology.

(3) Visually impaired – Staff will read the PREA information to the resident, and will consider other accommodation requests from the resident. If the resident will benefit from enlarged text, VOA will provide reading materials in a large font as well as use Association for the Blind and Visually impaired as needed. Additionally, RRC Rochester has purchased two MAGNOPROS page magnifiers available to be used when completing PREA Paper Work with Residents.

(4) Otherwise disabled – If a resident is cognitively or intellectually disabled, staff will verbally present PREA materials at a level the resident can understand. PREA reminders will be given more frequently. If a resident's mental health interferes with the ability to understand PREA materials, staff will consult with the resident's mental health provider to develop an appropriate plan to effectively convey information.

(5) Limited in their reading skills – Staff will provide information verbally. These residents are provided equal opportunities to participate in or benefit from all aspects of VOA's efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

To ensure effective communications, all efforts will be made to bring interpreters or other skilled professionals into the program as soon as staff discover any residents with disabilities and/or limited English proficiency.

During the onsite audit phase interviews were conducted with residents with varying degrees of limitations. Each indicated that they are provided with access to agency services and are provided with accessible material regarding their rights to be free from sexual abuse and sexual harassment, as well as information about reporting sexual abuse and sexual harassment.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.216 (b). The agency indicated in their response to the PAQ that the agency has established procedures to provide those with limited English proficiency equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse or sexual harassment. The agency utilizes Language Line Inc. As with disabled residents, the intake staff confirms understanding the LEP population when providing intake education; they are familiar with the method to connect with language assistance services.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.216 (c). The agency indicated in their response to the PAQ that the agency prohibits the use of resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident 's safety, the performance of first- response duties, or the investigation of the resident 's allegations. The agency engages interpretation services to avoid using residents in this capacity. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states:

- The use of resident interpreters, resident readers, or other types of resident assistants will not be used, except in limited circumstances, where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-responder duties or the investigation of the resident's allegations.
- In these exceptions or limited circumstances, documentation of all such cases shall be documented.

The agency has not used a resident in this capacity in the past 12 months.

The auditor's interview with the PREA Coordinator verified the information provided during the pre- onsite audit phase; there have not been any instances in the past 12 months where resident interpreters, readers, or other types of resident assistants have been used.

Interviews with random staff confirmed that they were not aware of any instance where a resident interpreter was used to assist with first responder or investigative actions.

During the site review of the agency, the auditor observed PREA posters displayed throughout the facility in English, as well as Spanish. Information pertaining to PREA is also provided to residents in English or Spanish during the intake process.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.

115.217	Hiring and promotion decisions
	<p data-bbox="280 185 981 219"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="280 264 564 297"><b>Auditor Discussion</b></p> <p data-bbox="280 342 1404 376">The following evidence was analyzed in making a determination of compliance:</p> <p data-bbox="280 409 646 443">Documentation reviewed:</p> <ul style="list-style-type: none"> <li data-bbox="280 488 724 521">a. Pre-Audit Questionnaire</li> <li data-bbox="280 555 1437 633">b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul> <p data-bbox="280 745 427 779">Interviews</p> <ul style="list-style-type: none"> <li data-bbox="280 813 576 846">a. Random staff</li> <li data-bbox="280 880 719 913">b. Human Resources Staff</li> </ul> <p data-bbox="280 1025 1477 1272">115.217 (a, b, f). The agency indicated in their response to the PAQ that the agency prohibits hiring or promoting anyone who may have contact with residents and prohibits enlisting the services of a contractor who may have contact with residents who may have engaged in any of the conduct detailed in this provision. The agency also considers any incidents of sexual harassment when making such decisions. The agency does not hire or promote anyone who may have contact with residents, who:</p> <ul style="list-style-type: none"> <li data-bbox="280 1305 1469 1429">a. has engaged in sexual violence, or staff sexual misconduct of a resident in a prison, jail, lockup, community confinement agency, juvenile agency or other institution;</li> <li data-bbox="280 1462 1477 1585">b. 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</li> <li data-bbox="280 1619 1390 1697">c. has been civilly or administratively adjudicated to have engaged in the activity described immediately above.</li> </ul> <p data-bbox="280 1731 1477 1977">Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy outlines this process, policy states that VOA must ask the candidate about their history of sexual abuse and sexual harassment. This is documented on a form completed during the initial interview with the hiring manager. All new candidates receive clearance from the Bureau of Prisons or NYS Parole, whichever is applicable, before having contact with residents.</p> <p data-bbox="280 2011 1426 2089">A final analysis of the evidence indicates the agency is in substantial compliance with these provisions.</p>

115.217 (c). The agency indicated in their response to the PAQ that agency policy requires that before it hires any new employees who may have contact with residents, it (a) conducts criminal background record checks, and (b) consistent with federal, state, and local law, makes its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. The agency reported one hundred percent of individuals hired in the past 12 months who may have contact with residents had a criminal background record check completed.

Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy details the agency's criminal background check expectation. The required pre-employment process includes using data from local, county, state, and federal law enforcement agencies, prior employers, and any agency, department, company, individual, or service may be contacted if it is deemed that such agency has pertinent background information.

The auditor reviewed random records, including those of contractors, and accompanying forms that document the application process, including the previous employer inquiry process and criminal background checks. The staff confirmed that when a prospective employee or contractor reports having been employed by another confinement agency and requests employment at the agency, contact is made with the prior agency during the background investigation process.

The agency utilizes the services of Paycom Payroll to conduct criminal history checks.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.217 (d). The agency indicated in their response to the PAQ that agency policy requires a criminal background check be completed before enlisting the services of any contractor who may have contact with residents. Policy states that VOA requires that a criminal background record check be completed before enlisting the services of any contractor who may have unsupervised contact with residents.

In the past 12 months, the agency reported having three contract for services where criminal background record checks were conducted on all staff covered in the contract that might have contact with residents. The auditor confirmed with the PREA Coordinator that a criminal history check would be conducted on all contractors.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

	<p>115.217 (e). The agency indicated in their response to the PAQ that agency policy requires a criminal background check be conducted at least every five years for current employees and contractors who may have contact with residents. The agency conducts criminal background records checks at least every five years for current employees and contractors who may have contact with residents. The auditor's interview with staff confirmed the five-year criminal history checks.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.217 (g). The agency indicated in their response to the PAQ that agency policy states that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states VOA also imposes upon employees a continuing affirmative duty to disclose any such misconduct and will annually require all existing staff to provide signed statements to this effect.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.217 (h). Policy states that VOA provides information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work. Staff confirmed such inquiries are reviewed and responded to in accordance with agency policy.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.</p>
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<b>115.218</b>	<b>Upgrades to facilities and technology</b>
	<b>Auditor Overall Determination:</b> Meets Standard



**Auditor Discussion**

The following evidence was analyzed in making a determination of compliance:

Documentation reviewed:

- a. Pre-Audit Questionnaire

Interviews

- a. PREA Coordinator

Site Review

115.218 (a). The agency indicated in their response to the PAQ that the agency has not acquired a new agency or made a substantial expansion or modification to existing facilities since 8/20/2012, or since the last PREA audit, whichever is later. Upon discussion with the PREA Coordinator, in addition to observations during the site review, since their last PREA audit the agency has not undergone any construction. The PREA Coordinator understood when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse. The staff indicated that the agency works consistently to consider the safety and privacy needs of residents, while ensuring direct lines of sight and using tools, like mirrors, windows, and cameras, to assist with supervision.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.218 (b). The agency indicated in their response to the PAQ that the agency has installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since 8/20/2012, or since the last PREA audit, whichever is later. The staff confirmed that the agency has installed two new cameras since the last PREA audit. I confirmed that when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency would consider how such technology may enhance the department's ability to protect residents from sexual abuse.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

	<p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.</p>
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<b>115.221</b>	<b>Evidence protocol and forensic medical examinations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Hospitals with Sexual Assault Forensic Evaluation (SAFE) Programs SAFE/ SANE Contact Information</li> <li>d. MOU with RESTORE Sexual Assault Services</li> <li>e. MOU with Rochester Police Department</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Director</li> <li>b. PREA Coordinator</li> </ul> <p>115.221 (a)(b). The agency indicated in their response to the PAQ that the agency is responsible for conducting administrative sexual abuse/sexual harassment investigations. When a resident is involved in an incident the BOP would immediately be notified, and they would make the decision on the investigation process. Normally the trained agency investigator would conduct the administrative investigation, and the Rochester Police Department would conduct the criminal investigation. Policy addresses the agency's obligation to follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for</p>

administrative proceedings and criminal prosecutions. The interviewed staff understood their obligation under this policy. The Rochester Police Department follows a uniform protocol which maximizes evidence identification, collection, and retention, and far exceeds any requirements of the PREA Standards. During interviews with the Agency Investigator, I confirmed that they follow the protocols outlined in the policy. I reviewed agency investigations and found that they follow the policy and a uniform evidence protocol. I confirmed through review of policy and through interviews that the protocols were developed from the National Protocol for Sexual Assault Medical Forensic Examinations Adults/Adolescents Second Edition, dated April 2013. The facility does not house anyone under the age of 18.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.221 (c). The agency indicated in their response to the PAQ that the agency offers all residents who experience sexual abuse access to forensic medical examinations at an outside agency; the agency does not perform such examinations. Examinations conducted at an outside agency are performed by Sexual Assault Nurse Examiners or, when not available, a qualified medical practitioner. In the past 12 months, no residents were transported for forensic medical examinations. When the need arises for care in this context, the agency documents all efforts to provide SANE. The facility would utilize Strong Memorial Hospital to provide these services. The Sexual Assault Nurse Examiner at the hospital will conduct a sexual assault examination. These services are provided at no cost to the victim under New York State Law. The Survivors Bill of Rights was passed in December 2018 by New York State. The bill provides every patient the right for law enforcement investigation, medical care, victims services, advocacy services, and District Attorney's services. I contacted a supervisor at Strong Memorial Hospital and verified that the services would be provided and are at no cost to the victim.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.221 (d, e, h). The agency indicated in their response to the PAQ that the agency attempts to make a victim advocate from a rape crisis center available to the victim, either in person or by other means; such efforts are documented. While an outside advocate is always available on-call thereby eliminating a great majority of the need for the agency to provide an alternate qualified staff member in the event an advocate is unavailable. Support services include supporting the victim through the forensic medical examination process and investigatory interviews and providing emotional support, crisis intervention, information, and referrals. RESTORE Sexual Assault Services, the local Rape Crisis Center, would be notified in the event of a SANE examination. Thereafter the investigative agency will make available an advocate during investigatory interviews and for emotional support services.

	<p>Posters were observed throughout the agency which direct victims to the local advocacy organization, via a phone number, for support services.</p> <p>During the audit, the auditor conducted an interview with a representative from RESTORE Sexual Assault Services who indicated that a victim advocate is available to meet with the resident victim during a SANE exam upon request. In practice, the service provider is staffed to respond to the hospital 24 hours a day and seven days a week.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.21 (f). The PREA Coordinator confirmed that the Criminal sexual abuse/sexual harassment investigations are conducted by Rochester Police Department. The MOU requires that RPD follow the requirements of paragraphs (a) through (e) of this section.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.</p>
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115.222	Policies to ensure referrals of allegations for investigations
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. MOU with Rochester Police Department</li> </ul>

	<p>Interviews</p> <p>a. PREA Coordinator</p> <p>115.222 (a, b,c). The agency indicated in their response to the PAQ that the agency ensures an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy dictates that all incidents of sexual abuse or sexual harassment will be investigated. Any incident involving potential criminal behavior will be immediately reported to local law enforcement for criminal investigation. The RPD possesses legal authority to conduct criminal investigations. The policy and MOU with Rochester Police Department outlines the responsibility of all parties during an investigation.</p> <p>In the designated 12-month audit period, as evidenced by a review documentation, the agency received and responded to zero allegations of sexual abuse/sexual harassment.</p> <p>The PREA Coordinator indicated that the agency ensures an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. They confirmed that all referrals would be documented. The policy outlining the investigative process is available through by requesting a copy from VOA's PREA Coordinator.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.</p>
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<b>115.231</b>	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard

**Auditor Discussion**

The following evidence was analyzed in making a determination of compliance:

Documentation reviewed:

- a. Pre-Audit Questionnaire
- b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy
- c. Training Records
- d. Sign offs

Interviews

- a. PREA Coordinator
- b. Random Staff

Site Review

115.231 (a). The agency indicated in their response to the PAQ that the agency trains all employees who may have contact with resident s on the following topics: the agency's zero tolerance policy for sexual abuse and sexual harassment; how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; right of resident s to be free from sexual abuse and sexual harassment; right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment; dynamics of sexual abuse and sexual harassment in confinement; common reactions of sexual abuse and sexual harassment victims; how to detect and respond to signs of threatened and actual sexual abuse; how to avoid inappropriate relationships with resident s; how to communicate effectively and professionally with resident s, including lesbian, gay, bisexual, transgender, intersex, or gender-nonconforming resident s; and how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy 1. The VOA will train any and all staff who have contact with residents on:

- a. VOA's zero-tolerance stance for sexual abuse and sexual harassment;
- b. How to fulfill their responsibilities under VOA sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;

	<p>c. Resident's right to be free from sexual abuse and sexual harassment;</p> <p>d. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment</p> <p>e. The dynamics of sexual abuse and sexual harassment in confinement</p> <p>f. The common reactions of sexual abuse and sexual harassment victims</p> <p>g. How to detect and respond to signs of threatened and actual sexual abuse</p> <p>h. How to avoid inappropriate relationships with residents</p> <p>i. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents</p> <p>j. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.</p> <p>2. Training will be provided via video, on-line testing, staff presentations and/or staff meeting updates.</p> <p>3. All current employees of the VOA working with residents protected by PREA shall be trained in the PREA standards (requirements), and VOA shall provide these employees with refresher training every year to ensure that these employees know VOA's current sexual abuse and sexual harassment policies and procedures. The VOA shall document through testing or an employee signature that they understand the training they have received.</p> <p>The auditor reviewed PREA-related guides, and modules which are utilized to educate all new and existing employees that will have contact with residents on how to fulfill their responsibilities under sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures. The training resources detail each of the sub-topics listed within this provision.</p> <p>Random and specialized staff who were interviewed reported they received training consistent with each of the ten elements listed above. Staff members were able to articulate training content; knowledge of the agency's zero tolerance for sexual abuse and sexual harassment policy; an understanding that all staff and residents have a right to be free from retaliation for reporting sexual abuse and sexual harassment; familiarity with their reporting responsibilities. The auditor also reviewed training reports, which demonstrate receipt of training of the above provisions; 100% of staff completed training.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.231 (b). The agency indicated in their response to the PAQ that training is not gender specific and applicable to the male and female population at the facility.</p>
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	<p>Random and specialized staff who were interviewed reported they received training consistent with the population.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.231 (c). The agency indicated in their response to the PAQ that, in between trainings, the agency provides employees who may have contact with residents with refresher information about current policies regarding sexual abuse and sexual harassment. The agency provides PREA training annually.</p> <p>During the onsite audit phase, the auditor confirmed through random staff interviews that each completed training prior to having contact with residents. I further confirmed the annual training courses include the elements described in provision (a). One hundred percent, as confirmed through a report, of staff members received instruction on the elements required by this provision in 2025.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.231 (d). The agency indicated in their response to the PAQ that the agency documents that employees who may have contact with residents understand the training they have received through employee signature. The auditor reviewed staff training records and confirmed the acknowledgment method that accompanies staff training.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>The agency provides yearly PREA training which includes a policy review. This practice far exceeds the requirements of this standard.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.</p>
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<b>115.232</b>	<b>Volunteer and contractor training</b>
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	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"><li>a. Pre-Audit Questionnaire</li><li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li></ul> <p>Interviews</p> <ul style="list-style-type: none"><li>a. PREA Coordinator</li><li>b. PREA Compliance Manager</li></ul> <p>Site Review</p> <p>115.232 (a)(b)(c). The agency indicated in their response to the PAQ that they have not had any volunteers and contractors authorized to enter the facility. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states:</p> <ul style="list-style-type: none"><li>· The VOA will ensure that all volunteers and contractors who have contact with PREA-protected residents have been trained on their responsibilities under the VOA’s sexual abuse and sexual harassment prevention, detection and response policies and procedures.</li><li>· The level and type of training provided to the volunteers and contractors shall be based on the services they provide and level of contact with residents. At a minimum, all volunteers and contractors will be notified of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. This information will be provided prior to entering the facility or having any contact with residents.</li><li>· The VOA shall maintain documentation confirming the volunteers and contractors understand the training they have received.</li></ul> <p>The facility trains all volunteers and staff when they enter the facility. The auditor was given the information on the agency’s zero tolerance policy and acknowledged receipt through a signature.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance</p>

	<p>with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.</p>
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<b>115.233</b>	<b>Resident education</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. PREA Handout</li> <li>d. Resident Sign Off</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Intake Staff</li> <li>b. Random and Targeted Residents</li> <li>c. Random Staff</li> </ul> <p>Site Review</p> <ul style="list-style-type: none"> <li>a. PREA Posters</li> <li>b. PREA Audit Postings</li> </ul>

115.233 (a)(b)(c). The agency indicated in their response to the PAQ that residents receive information at the time of intake about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment. In the past 12 months, 100 percent of newly admitted residents (75) were given this information at intake. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that during the intake process residents will receive information explaining the VOA's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The program provides residents with PREA education in formats accessible to all residents, including those who are limited English proficient (LEP), deaf, visually impaired, or otherwise disabled as well as residents who have limited reading skills. The program maintains documentation of resident participation in all education sessions.

During the resident interviews all interviewed residents confirmed that they had received this information upon intake. All residents were shown the handout. They were all familiar with this and were given one at intake. The residents also confirmed going through an orientation where a video was shown and PREA was further explained.

During the site review I observed a mock intake process, the intake officer indicated that all residents receive the written PREA Information, and they confirm receipt by signing. Random files were reviewed, all residents indicated in writing they had received this information.

The auditor observed that the agency has PREA posters displayed throughout the facilities printed in Spanish and English languages.

The random staff interviewed confirmed these procedures.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.233 (d). The agency indicated in their response to the PAQ that the agency maintains documentation of resident's participation in PREA education. Receipt of education is documented and placed in the resident file. The auditor randomly selected records to review; all records indicated receipt of education as required by this provision or agency policy.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.233 (e). The agency indicated in their response to the PAQ that the agency ensures key information about the agency's PREA policies is continuously and

readily available or visible through posters, residents handbooks, or other written formats. The auditor observed and reviewed that PREA information at the facilities is made available to residents in several ways:

- a. Resident handout
- b. PREA Pamphlet
- c. PREA Posters on housing areas and in common areas

The auditor had an opportunity to view all the above resources and activities during the onsite audit phase and had multiple discussions with both staff and residents regarding these resources. Residents were readily able to describe how they could locate or reference a means to report incidents of sexual abuse or harassment.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy further states that within 30 days of intake the VOA shall provide comprehensive education to residents to include:

- a. VOA's zero-tolerance policy on sexual abuse and sexual harassment
- b. Definitions of sexually abusive behavior and sexual harassment.
- c. Methods of prevention, detection, and reporting sexually abusive behaviors and sexual harassment.
- d. Treatment options and programs available to resident victims of sexually abusive behavior and sexual harassment.
- e. How to avoid inappropriate relationships with residents;
- f. How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents
- g. Their right to be free from sexual abuse and sexual harassment;
- h. Their right to be free from retaliation for reporting sexual abuse and sexual harassment
- i. Resident's right to be free from sexual abuse and sexual harassment;
- ii. The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment

This practice far exceeds the expectations of the standard.

	<p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.</p>
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<b>115.234</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. PREA Coordinator</li> <li>b. Investigator</li> </ul> <p>115.234 (a)(b)(c). The agency indicated in their response to the PAQ that the agency would conduct administrative investigations when directed by BOP. All criminal investigations are handled by the RPD. Policy Volunteers of America Upstate New York Staff and Resident Sexual Abuse and Sexual Harassment Policy outlines the administrative investigative process. The trained agency administrative investigator has received specialized training which 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.</p> <p>During the interview with the agency investigator, I found her to be extremely knowledgeable in the investigation process and techniques. More importantly, she is</p>

	<p>fully aware of the limitations when conducting the administrative investigation and will stop and immediately contact the Rochester Police Department if the investigation appears to be criminal. I have had the opportunity to review all of the investigations from the agency for the past six years; I found the investigations comprehensive and informative.</p> <p>A final analysis of the evidence indicates the facility is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the facility interviews, I found that the agency is compliant with all provisions of the standard.</p>
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115.235	Specialized training: Medical and mental health care
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <p>a. Pre-Audit Questionnaire</p> <p>The facility does not have medical or mental health staff. All services are provided through community providers.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with all provisions of the standard.</p>

115.241	Screening for risk of victimization and abusiveness
	<p data-bbox="279 185 1013 219"><b>Auditor Overall Determination:</b> Exceeds Standard</p> <p data-bbox="279 264 564 297"><b>Auditor Discussion</b></p> <p data-bbox="279 342 1404 376">The following evidence was analyzed in making a determination of compliance:</p> <p data-bbox="279 409 646 443">Documentation reviewed:</p> <ul style="list-style-type: none"> <li data-bbox="279 488 751 521">a. Pre-Audit Questionnaire</li> <li data-bbox="279 555 1468 633">b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li data-bbox="279 667 735 701">c. PREA Screening forms</li> </ul> <p data-bbox="279 813 427 846">Interviews</p> <ul style="list-style-type: none"> <li data-bbox="279 891 855 925">a. Staff Responsible for Screening</li> <li data-bbox="279 958 679 992">b. Random Residents</li> </ul> <p data-bbox="279 1104 446 1137">Site Review</p> <ul style="list-style-type: none"> <li data-bbox="279 1171 767 1205">a. Intake/Screening Process</li> </ul> <p data-bbox="279 1317 1481 1518">115.241 (a). The agency indicated in their responses to the PAQ that the agency has a policy that requires screening (upon admission to a facility) for risk of sexual abuse victimization or sexual abusiveness toward other residents. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy requires that:</p> <p data-bbox="279 1552 1444 1630">The intake screening shall consider, at a minimum, the following criteria to assess residents for risk of sexual victimization:</p> <ul style="list-style-type: none"> <li data-bbox="279 1664 1449 1697">(1) Whether the resident has a mental, physical, or developmental disability;</li> <li data-bbox="279 1731 751 1765">(2) The age of the resident;</li> <li data-bbox="279 1798 890 1832">(3) The physical build of the resident;</li> <li data-bbox="279 1865 1198 1899">(4) Whether the resident has previously been incarcerated;</li> <li data-bbox="279 1933 1321 1966">(5) Whether the resident's criminal history is exclusively nonviolent;</li> <li data-bbox="279 2000 1401 2033">(6) Whether the resident has prior convictions for sex offenses against an</li> </ul>

adult or child;

(7) Whether the resident is or is perceived to be (by staff or residents) gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;

(8) Whether the resident has previously experienced sexual victimization; and

(9) The resident's own perception of vulnerability.

The initial screening is conducted by the case manager in a private setting one on one. They stated an initial risk screening is completed with each resident upon arrival. The risk screenings are conducted as outlined in the policy. All residents remembered completing screening questions. The auditor reviewed all resident records to corroborate the agency's intake screening process.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.241 (b). The agency indicated in their responses to the PAQ that the agency has a policy that requires residents to be screened for risk of sexual victimization or risk of sexually abusing other residents within 72 hours of intake. In the past 12 months, 75 residents reportedly entered the agency and remained there for 72 hours or more. Of these residents, the agency stated all were screened for risk within 72 hours of admission.

During the pre-on-site phase, the agency directed the auditor to review Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) as evidence of policy compliance. This section directs the screening to take place within 72 hrs.

All residents remembered being asked the applicable screening questions, they further confirmed this occurred during the intake process and within 72 hrs. of arrival. The auditor randomly reviewed all resident records to corroborate the agency's intake screening process.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.241 (c). The agency indicated in their response to the PAQ that risk assessments are conducted using an objective screening instrument. A review of the PREA Screening reveals 14 questions or screening measures.

The evidence indicates that the PREA Screening is standardized, consistently administered to all residents, structured using a weighting and scoring mechanism, and culminates in an overall determination at risk or potential predator. The overall screening is appropriately subjective and is compliant with the variables required per 115.41(d).



A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.241 (d). The agency's PREA Screening tool is comprised of 14 questions; all of which meet the prescribed criteria for this provision. Specifically, the PREA Screening includes questions in the following areas:

- Whether the offender has a mental, physical, or developmental disability
- The age of the offender
- The physical build of the offender
- Whether the offender has previously been incarcerated
- Whether the offender's criminal history is exclusively nonviolent
- Whether the offender has prior convictions for sex offenses against an adult or child
- Whether the offender is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or
- gender nonconforming
- Whether the offender has previously experienced sexual victimization
- The offender's own perception of vulnerability

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.241 (e). The PREA Screening includes an assessment of the criteria required by this provision and described in the discussion of 115.41(d). Each of these questions attempts to elicit information about a resident's prior history of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse. Responses are recorded as part of the screening and used to determine each resident's risk of being sexually abusive. The screening tool will score these factors and if over a certain score the resident will be considered a predator.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.241 (f). The agency indicated in their responses to the PAQ that the agency has a policy that requires the agency to reassess each resident's risk of victimization or abusiveness within a set time period, not to exceed 30 days after the resident's

arrival at the agency, based upon any additional, relevant information received by the agency since the intake screening. The PAQ indicates that in the past 12 months, 72 residents have reportedly entered the agency and remained there for 30 days or more. Of these residents, the agency stated 72 (100%) were rescreened for risk within 30 days of admission.

During the resident interviews residents confirmed that they did meet with the case manager to conduct a second screening. This was confirmed during the review of the screening forms. The case manager confirmed during her interview that she meets with all residents to conduct a second screening, the process is the same as the initial screening. The auditor reviewed the second screening for all residents and confirmed the screening was taking place.

A final analysis of the evidence indicates the agency is compliant with this provision.

115.241 (g). The agency indicated in their response to the PAQ that the agency has a policy requiring a resident 's risk level to be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the resident 's risk of sexual victimization or abusiveness. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) states that a resident's risk level shall also be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness. These assessments were confirmed by the facility staff.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.241 (h). The agency indicated in their response to the PAQ that the agency has a policy which prohibits disciplining residents for refusing to answer screening questions related to whether or not they have a mental, physical, or developmental disability; whether or not they are or perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; whether or not they have previously experienced sexual victimization; or their own perception of vulnerability.

Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) states residents may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to:

- (1) Whether the resident has a mental, physical, or developmental disability
- (2) Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming
- (3) Whether the resident has previously experienced sexual victimization

	<p>(4) The residents own perception of vulnerability</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.241 (i). Policy states that program staff shall implement appropriate controls on the dissemination within the program of responses to questions asked pursuant to the intake screening in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents. The screening is completed by only case management staff and the information is stored in locked cabinets in locked offices. The auditor confirmed that the screening tools were stored in locked offices inside of a locked filing cabinet.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>It should be noted that the case manager meets with every resident weekly to assess their progress, during these meetings the case manager will talk with the residents about any issues they are having. This practice far exceeds the standard which requires two assessments within the first 30 days.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with the provisions of the standard.</p>
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115.242	Use of screening information
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul>

c. PREA Screening

Interviews

- a. Staff Responsible for Screening
- b. PREA Coordinator
- c. Targeted Residents

115.242 (a, b). The agency indicated in their response to the PAQ that the agency uses the information from the risk screening as required by standard 115.241 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy outlines the process of utilization of the information to make decisions relative to housing, sleeping room, and program assignments with the goal of keeping residents safe. Any information related to sexual victimization or abusiveness that occurred in an institutional setting is limited to appropriate staff to inform treatment plans, security, and management decisions including housing, sleeping room, and program assignments.

The auditor did not observe evidence of isolated work or programming assignments. The Director indicated that risk screening information is predominately used to make safe housing placements, but that in addition supplemental security measures are being taken to ensure proper supervision within the facility.

During interviews and conversations with random and specialized staff, there is an understanding that housing assignments will not be made without approval from staff who have access to the sensitive information concerning the residents at high risk for victimization and high risk of abusiveness.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.242 (c). The agency indicated in their response to the PAQ that when deciding whether to assign a transgender or intersex resident to a facility for male or female residents, and in making other housing and programming assignments, the agency considers on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether the placement would present management or security problems. According to Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy the program makes housing and program assignments for transgender or intersex residents in the

facility on a case-by-case basis considering whether a placement would ensure the residents' health and safety, and whether the placement would present management or security problems.

The PREA Coordinator and Director both confirmed that the facility is equipped to house transgender and intersex residents and can meet their individual needs. The auditor interviewed case managers and the Director they confirmed a case-by-case determination in accordance with agency policy.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.242 (d). The case manager confirmed that the reassessment process for transgender and intersex residents mirrors the initial classification review process. As previously stated, all residents meet with their case manager weekly and are asked about any safety issues during this review process. Following the review, the case manager documents the information. During case manager reviews any pertinent information for any resident would be shared with the Director.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.242 (e). Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) requires that placement and programming assignments for all residents including transgender or intersex residents shall be made on an individualized basis. In the case of a transgender or intersex offender, the safety and health of the offender and the management and security of the facility as well as their own views regarding their safety are taken into consideration.

An interview with the case manager corroborated that agency practice aligns with agency policy. They indicated that the facility gives serious consideration to their own views about their safety within the institution.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.242 (f). A review of the facilities physical plant and showering accommodations, as well as interviews with residents and staff confirmed that transgender residents have an opportunity to shower separately and privately by space. Modesty curtains are in place in all showering areas. All residents confirmed that they can shower without being viewed by others.

A final analysis of the evidence indicates the facility is in substantial compliance

	<p>with this provision.</p> <p>115.242 (g). The PREA Coordinator confirmed that the agency is not subject to a consent decree, legal settlement, or legal judgment requiring lesbian, gay, bisexual, transgender, or intersex residents be placed in dedicated facilities, units, or wings solely on the basis of their sexual orientation, genital status, or gender identity. He stated that residents who identify as gay or bisexual are housed in accordance with their security and programming needs.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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115.251	Resident reporting
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Handouts</li> <li>d. PREA Posters</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. PREA Coordinator</li> </ul>

b. Random Residents

c. Random Staff

#### Site Review

a. Informal Interviews

b. Posted Information

115.251 (a). The agency indicated in their response to the PAQ that the agency has established multiple internal methods for residents to privately report sexual abuse; sexual harassment; retaliation by other residents or staff for reporting sexual abuse and sexual harassment; and staff neglect or violation of responsibilities that may have contributed to such incidents. According to the PREA Handout and signage a resident may report allegations of sexual misconduct or retaliation by other residents or staff verbally, in writing, using the toll-free hotline, or to a third-party. Residents shall be given the opportunity to remain anonymous during the report. There is no time limit on when a resident may report sexual misconduct.

During the site review, posted information was observed throughout the facility. Informal conversations with residents during the site review and formal random and target resident interviews indicated that all residents could recite at least one way to report sexual abuse or sexual harassment. All random staff members interviewed were able to recite appropriate reporting options.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.251 (b). The agency indicated in their response to the PAQ that the agency provides at least one way for residents to report abuse or harassment to a public or private entity that is not part of the agency, and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials, allowing the resident to remain anonymous upon request. The residents can report to the following outside entity:

NYS Sexual Violence Hotline: 1-800-942-6906 or the Federal Bureau of Prisons

The agency does not house residents solely for immigration purposes and, as such, does not have a policy or provide residents detained solely for civil immigration purposes information on how to contact consular or Department of Homeland Security officials.

The facility handout further states that reporters can request to remain anonymous.

An interview with staff confirmed that a resident may report externally and, if chosen, anonymously by phone or letter. All random and targeted residents interviewed stated they all understood anonymous reporting options.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.251 (c). The agency indicated in their response to the PAQ that the agency has a policy mandating that staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties. Moreover, staff are required to accept and promptly document any report made verbally, in writing, anonymously, or from a third party. This is further outlined in Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy. All random staff interviewed stated residents can report in any of the ways described. All also stated that they would complete a written report immediately upon accepting a report from a resident, regardless of the reporting method. All interviewed residents stated they were aware of written, verbal, or third-party reporting options; they confirmed that they can report in any of the accepted ways.

A review of the agency public website revealed a list of ways in which sexual abuse or sexual harassment may be reported.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.251 (d). The agency indicated in their response to the PAQ that the agency has established procedures for staff to privately report sexual abuse and sexual harassment by reporting immediately and confidentially to the PREA Coordinator or Supervisory Staff.

The auditor reviewed Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy which states that the program shall provide a method for staff to privately report sexual abuse and sexual harassment of residents. Reports can be made in person to the Program Manager in the manager's office, via email or via phone from the staff office. All interviewed random staff stated they can report privately. They further described multiple methods including notifying the PREA Coordinator and facility Director.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed,



	my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.
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<b>115.252</b>	<b>Exhaustion of administrative remedies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <p>a. Pre-Audit Questionnaire</p> <p>Interviews</p> <p>a. PREA Coordinator</p> <p>115.252 (a). The agency indicated in their response to the PAQ that the agency has an administrative procedure for dealing with resident grievances regarding sexual abuse. After speaking with the PREA Coordinator it was confirmed that any sexual abuse in New York State is a criminal offense and a violation of criminal law. If a grievance was filed regarding sexual abuse, it would immediately be reported to the RPD for investigation.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>

<b>115.253</b>	<b>Resident access to outside confidential support services</b>
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	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"><li>a. Pre-Audit Questionnaire</li><li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li><li>c. PREA Handout</li><li>e. PREA Posters</li><li>f. VAO MOU with RESTORE</li></ul> <p>Interviews</p> <ul style="list-style-type: none"><li>a. PREA Coordinator</li><li>b. Random Residents</li></ul> <p>Site Review</p> <p>115.253 (a). The agency indicated in their response to the PAQ that they provide residents with access to outside victim advocates for emotional support services related to sexual abuse. They also indicated that they provide residents with access to such services by giving residents mailing addresses and telephone numbers (including toll-free hotline numbers where available) for local, state, or national victim advocacy or rape crisis organizations; and provide residents with access to such services by enabling reasonable communication between residents and these organizations in as confidential a manner as possible. The agency does not house residents solely for civil immigration purposes and does not provide information for immigrant services agencies.</p> <p>The auditor observed the telephone number for the New York State Domestic &amp; Sexual Violence Hotline and RESTORE phone number on posters displayed throughout the facilities including housing areas and common areas.</p> <p>During the interviews all residents stated that external support services are available and have seen the contact information on posters in the housing units. All residents interviewed indicated that the posters are in the housing units and common areas, the posters include information on victim advocacy.</p>

	<p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.253 (b). The agency indicated in their response to the PAQ that the agency informs residents, prior to giving them access to outside support services, the extent to which such communication will be monitored and of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that apply to disclosures of sexual abuse made to outside victim advocates, including any limits to confidentiality under relevant federal, state, or local law. The residents were aware of these services assumed their communication with an advocate would remain confidential. The residents have their own cellular telephones and can leave the facility to meet with the victim advocate staff. This was confirmed by both staff and residents.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.253 (c). The agency indicated in their response to the PAQ that the agency maintains a MOU with RESTORE a community service provider for the provision of emotional support services related to sexual abuse experienced by residents.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is compliant with these provisions of the standard.</p>
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<b>115.254</b>	<b>Third party reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p>

- a. Pre-Audit Questionnaire
- b. Agency public website screenshots

#### Interviews

- a. Random residents

#### Site Review

115.254 (a). The agency indicated in their response to the PAQ that the agency provides a method, and publicly distribute reporting information on their website, to receive third-party reports of resident sexual abuse or sexual harassment. The auditor observed this information is posted publicly by navigating to <https://www.voapny.org/services/prison-rape-elimination-act-information-and-reporting/>. There readers will learn that, specifically, third parties may contact the Agency directly, and review the reporting avenues.

During the post onsite phase, the auditor tested this reporting mechanism by calling the number for the PREA Coordinator 585-402-7211 the call was immediately answered.

In addition to posting methods on the public website, the agency circulates such information in the PREA Handbooks and PREA Brochure. The term “third party” includes residents, family members, attorneys, or outside advocates.

Interviews with random and target residents confirmed that they are aware they may report to a person external to the agency or have someone report on their behalf.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.

115.261	Staff and agency reporting duties
	<p data-bbox="279 185 981 219"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="279 264 564 297"><b>Auditor Discussion</b></p> <p data-bbox="279 342 1404 376">The following evidence was analyzed in making a determination of compliance:</p> <p data-bbox="279 409 646 443">Documentation reviewed:</p> <ul style="list-style-type: none"> <li data-bbox="279 488 751 521">a. Pre-Audit Questionnaire</li> <li data-bbox="279 555 1465 633">b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li data-bbox="279 667 655 701">c. PREA Staff Guide</li> </ul> <p data-bbox="279 745 427 779">Interviews</p> <ul style="list-style-type: none"> <li data-bbox="279 813 608 846">a. Random Staff</li> <li data-bbox="279 880 667 913">b. PREA Coordinator</li> <li data-bbox="279 947 536 981">c. Director</li> </ul> <p data-bbox="279 1104 1465 1552">115.261 (a). The agency indicated in their response to the PAQ that all staff must report immediately and according to agency policy any knowledge, suspicion, or information they receive regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency. Staff are also required to immediately report according to policy any retaliation against residents or staff who reported such an incident. Finally, staff must immediately report according to agency policy any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states any staff must immediately report to the site Supervisor or designee, any knowledge, suspicion, or information regarding:</p> <ul style="list-style-type: none"> <li data-bbox="279 1597 1453 1630">o an incident of sexual abuse or sexual harassment that occurred in the program;</li> <li data-bbox="279 1664 1465 1742">o retaliation against residents or staff who reported an incident of sexual abuse or sexual harassment;</li> <li data-bbox="279 1776 1410 1854">o any staff neglect or violation of responsibilities that may have contributed to such an incident or retaliation.</li> </ul> <p data-bbox="279 1888 1393 1966">The agency's training modules restate the reporting requirement as defined in policy.</p> <p data-bbox="279 2000 1422 2078">Random staff interviews demonstrated that staff are familiar with reporting requirements should a resident disclose an experience of sexual abuse or sexual</p>

harassment.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.261 (b). The agency indicated in their response to the PAQ that apart from reporting to designated supervisors or officials and designated state or local services agencies, the agency prohibits staff from revealing any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions, this is outlined in the Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) which states that apart from reporting to designated supervisors or agency officials, staff shall 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.

All random staff interviewed reported they would immediately contact a supervisor; they would refrain from sharing the information other than with staff who have a need to know.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.261 (c). The facility does not employ any medical or mental health providers. This was confirmed with the Director and during the onsite audit.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.261 (d). As discussed, the agency does not house youthful residents. If the alleged victim is considered a vulnerable adult under a State or local vulnerable persons statute, the agency will report the allegation to the designated State or local services agency under applicable mandatory reporting laws. This report would be made as required by state law.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.261 (e). Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) states that as soon as practical, program staff must report all allegations of sexual abuse or sexual harassment, including third party and anonymous reports, to the local authorities as relevant and to all

	<p>contracting agencies for further investigation. An interview with random staff confirmed this practice.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.262</b>	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Random Staff</li> <li>b. Director</li> </ul> <p>115.262 (a). The agency indicated in their response to the PAQ that when the agency learns a resident is subject to a substantial risk of imminent sexual abuse, it takes immediate action to protect the resident. The agency reported that there have been zero instances of substantial imminent risk in the past 12 months. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that upon learning that a resident is subject to risk of imminent sexual abuse, the first staff member to respond will:</p>

	<ul style="list-style-type: none"> <li>· Separate the alleged victim and alleged abuser (to protect the victim and prevent further violence);</li> <li>· Not leave the alleged victim alone;</li> <li>· Call 911 if warranted.</li> <li>· Contact the Person-in-Charge (Site Supervisor or designee) to request assistance (including notifying BOP or Parole, as applicable, of incident)</li> </ul> <p>The staff would follow the Rochester RRC PREA First Responder protocols which follow policy but are specific to the facility.</p> <p>The Director confirmed that all staff are responsible for immediately intervening when they receive information that a resident may be at imminent risk. They are required to notify a supervisor. A qualified person will assess their circumstances and discuss alternate housing options if necessary. There are several tools at their disposal to ensure continued safety to include separate from the threat; or adjust bed status. A case-by-case determination will be made to determine the best course of action to maximize safety with the lowest level intervention.</p> <p>Interviews with random staff verified those at imminent risk would be separated from the threat immediately. Staff further articulated that they would act immediately; ask preliminary questions to better understand the risk; monitor; act immediately as safety is paramount; notify a supervisor; and keep the person at imminent risk separate from the threat until a placement decision could be made.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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115.263	Reporting to other confinement facilities
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	The following evidence was analyzed in making a determination of compliance:



Documentation reviewed:

- a. Pre-Audit Questionnaire
- b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy

Interviews

- a. Director

115.263 (a)(b)(c). The agency indicated in their response to the PAQ that the agency has a policy requiring that, upon receiving an allegation that a resident was sexually abused while confined at another agency, the head of the agency must notify the head of the agency or appropriate office of the agency or agency where the sexual abuse is alleged to have occurred.

Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states:

- Upon receiving an allegation that a resident was sexually abused or sexually harassed while confined at another facility, the Site Supervisor that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse or harassment occurred.
- Upon receiving an allegation that a resident was sexually abused or sexually harassed while confined at another facility, the Site Supervisor that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse or harassment occurred.
- Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation.
- The program shall document that it has provided such notification, and send the documentation to the VOA PREA Coordinator.
- The agency head or program director from the non-VOA agency that receives such notification shall ensure that the allegation is investigated in accordance with these standards (this is outside of VOA's control).

In the past 12 months, the agency has not received any allegations of abuse at another confinement agency. The Director confirmed the practice outlined by the policy.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

	<p>115.263 (d). The agency indicated in their response to the PAQ that agency or agency policy requires that allegations received from other facilities and agencies are investigated in accordance with the PREA policy. In the past 12 months, the agency has not received any notification from other confinement facilities.</p> <p>The Director understood the obligations under the policy.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.264</b>	<b>Staff first responder duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Rochester RRC PREA First Responder Protocols</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Random Staff</li> </ul> <p>115.264 (a)(b). The agency indicated in their response to the PAQ that the agency</p>

	<p>has a first responder policy for allegations of sexual abuse. The policy requires that upon learning that a resident was sexually abused, the first staff member to respond to the scene must:</p> <ul style="list-style-type: none"> <li>· Separate the alleged victim and alleged abuser (to protect the victim and prevent further violence);</li> <li>· Not leave the alleged victim alone;</li> <li>· Ensure no one else enters the area to preserve and protect the crime scene;</li> <li>· Call 911 if warranted.</li> <li>· Contact the Person-in-Charge (Site Supervisor or designee) to request assistance (including notifying BOP or Parole, as applicable, of incident);</li> <li>· If the abuse occurred within a time period that would still allow for the collection of physical evidence (up to 96 hours), request that the alleged victim and abuser not take any action that could destroy physical evidence, including washing or showering, drinking or eating (unless medically indicated), brushing teeth, changing clothes, or toileting.</li> <li>· If toileting needs to take place, the resident should be instructed not to wipe.</li> </ul> <p>All staff interviewed successfully articulated a majority of their first responder duties, including separating the victim and abuser; preserving and protecting the crime scene; and ensuring the alleged abuser not take any actions that might destroy physical evidence. They all confirmed they would follow policy and the Rochester RRC PREA First Responder Protocols which are facility specific.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.265</b>	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Coordinated Response to alleged incidents of sexual abuse- staff first responders outline</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Director</li> </ul> <p>115.263 (a). The agency indicated in their response to the PAQ that they have 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 agency leadership. The Coordinated Response to alleged incidents of sexual abuse- staff first responders outline describes the respective role of each critical contact, including security staff first responders, supervisors, emergency medical treatment providers, and mental health treatment providers. The agency reviews and revises the plan which details the agency's coordinated response. During interviews staff confirmed that the Coordinated Response to alleged incidents of sexual abuse- staff first responders outline guides the agency's response following an allegation of sexual abuse.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.266</b>	<b>Preservation of ability to protect residents from contact with abusers</b>
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	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <p>a. Pre-Audit Questionnaire</p> <p>115.263 (a). The agency indicated in their response to the PAQ that the agency or agency has not entered into or renewed collective bargaining agreements since August 20, 2012, or since the last PREA audit, whichever is later. It was confirmed by the staff, the agency is an “At Will” employer.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>

<b>115.267</b>	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <p>a. Pre-Audit Questionnaire</p> <p>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</p> <p>c. VOA Retaliation Procedure</p>

## Interviews

- a. PREA Coordinator
- b. Director/Retaliation Monitor

115.267 (a). The agency indicated in their response to the PAQ that the agency has a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff. At the facility, the PREA Compliance Manager is responsible for retaliation monitoring. The VOA Retaliation Procedure dictates that VOA will protect all residents and staff from retaliation for reporting sexual abuse or sexual harassment and for cooperating with sexual abuse investigations, using the following actions:

- The Housing Director/PREA Compliance Manager and the PREA Coordinator will help staff identify any changes to the program structure or operations necessary to minimize retaliation.
- The Housing Director/PREA Compliance Manager, the PREA Coordinator or their designee will meet with any residents or staff who report sexual harassment or abuse or who participate in a related investigation within 2 business days of the report and will:
  - a. Inform them that they have a right to protection from retaliation.
  - b. Describe what retaliation might look or feel like.
  - c. Provide staff contact information for multiple staff who will respond to reports of retaliation.
  - d. Collect preferred method of on-going contact (phone or email).
- The Housing Director/PREA Compliance Manager and/or the PREA Coordinator will designate staff to monitor the conduct and treatment of residents and staff to ensure retaliation is not happening.
- The Housing Director/ PREA Compliance Manager and/or the PREA Coordinator will pro-actively contact residents and staff every 30 days (as long as they are in the facility) via their preferred contact method to ask about any concerns related to retaliation.
- Any reports of retaliation will be thoroughly investigated, and appropriate efforts will be made to keep staff and residents safe.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.267 (b) The VOA Retaliation Procedure dictates that VOA will protect all residents and staff from retaliation for reporting sexual abuse or sexual harassment and for cooperating with sexual abuse investigations, using the following actions:

- The Housing Director/PREA Compliance Manager and the PREA Coordinator will help staff identify any changes to the program structure or operations necessary to minimize retaliation.

An interview with the Director confirmed that the agency protects reporters from retaliation by implementing a zero-tolerance policy for such conduct. She stated the agency will employ a variety of safety solutions such as housing changes, removal of the alleged abuser, and offering support.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.267 (c). The agency indicated in their response to the PAQ that the facility monitors the conduct or treatment of residents or staff who report sexual abuse and of resident who were reported to have suffered sexual abuse to see if there are any changes that may suggest possible retaliation by residents or staff. When revealed, the agency acts promptly to remedy any such retaliation. Retaliation monitoring lasts for at least 90 days and continues beyond 90 days if there is a continuing need. The agency reported that there have been zero instances of reported retaliation in the last 12 months.

As described above, the VOA Retaliation Procedure directs the PREA Compliance Manager to ensure that reporters and alleged victims of sexual abuse are monitored in accordance with this provision. They would meet with reporters or alleged victims every 30 days for a period of 90 days following the report unless the allegation is deemed unfounded. Retaliation monitors are instructed to document their findings. Per policy, retaliation monitoring may continue beyond 90 days if the initial monitoring indicates a continuing need.

Monitoring, as directed by policy shall include reviewing: disciplinary reports; housing reports; program changes; negative performance reviews; and reassignments of staff.

The PREA Compliance Manager stated that when the agency suspects retaliation, they will investigate the potential action and protect the alleged victim from real or perceived threat by separating the victim and suspect or threat, for instance.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

	<p>115.267 (d). According to VOA Retaliation Procedure the PREA Compliance Manager is responsible for conducting periodic status checks as part of retaliation monitoring. If the initial monitoring indicates a continuing need, the periodic status checks shall be extended beyond 90 days. The PREA Compliance Manager was interviewed in their role as a retaliation monitor affirmed that retaliation monitoring includes monthly status checks for a period of no less than 90 days post- allegation.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>116.267 (e) Policy dictates that retaliation against any resident or staff member who reports sexual abuse and/or sexual harassment, or who cooperates with an investigation of said report, is prohibited and is subject to administrative or criminal action. An interview with the PREA Compliance Manager indicated the agency would monitor that person for a period of 90 days and take appropriate remedial action to eliminate the risk. As stated earlier, the agency has not received any reports of retaliation, or fears of retaliation, from a resident or staff in the last 12 months.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.271</b>	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul>



## Interviews

### a. PREA Coordinator

115.271 (a)(d). The facility indicated in their response to the PAQ that the agency/ facility has a policy related to criminal and administrative agency investigations. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy asserts that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. Referrals for criminal investigations shall be made to entities with the legal authority to conduct criminal investigations unless the allegation does not involve potentially criminal behavior.

The policy further states that all reports of sexual abuse and/or sexual harassment must be investigated thoroughly by trained personnel. The RPD will investigate all criminal matters. The Agency Investigator or BOP will conduct administrative investigation.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (b). According to Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy all investigators will receive special training in sexual abuse investigations pursuant to § 115.234. Through interviews all criminal investigations are conducted by highly trained law enforcement personnel from the RPD.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (c). Policy indicates that the first responding agency staff are immediately responsible for establishing and maintaining a perimeter around the crime scene. The RPD are responsible for collecting and securing direct and circumstantial evidence, including physical and DNA evidence.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (d). Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy dictates that all criminal misconduct by persons under the jurisdiction of the agency or occurring on facility property will be

reported to the RPD for possible investigation and prosecution. If a criminal investigation is opened, the staff will coordinate with those members of the RPD assigned to the criminal investigation as to the timing and process of the investigations to protect the integrity of the administrative and criminal investigations. The decision to refer a criminal case for prosecution shall be made by the prosecutor with jurisdiction. Compelled interviews in a criminal investigation will be conducted by RPD following their policies and procedures.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (e). The investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as resident or staff. This is outlined in the RPD policies. The RPD do not have the authority to order an alleged victim to take a polygraph examination.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (f). When conducting sexual abuse and sexual harassment administrative investigations, the Agency Investigator or BOP prepare a written report which includes an effort to determine whether staff actions or failures to act contributed to the abuse, a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Investigative staff indicated efforts made to comply with this provision include receiving and reviewing evidence. If review of the evidence calls into question staff actions or inactions, this will be reported to the PREA Coordinator.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (g). When conducting sexual abuse and sexual harassment criminal investigations, the RPD prepare a written report which includes an effort to determine whether staff actions or failures to act contributed to the abuse, a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Investigative staff indicated efforts made to comply with this provision include receiving and reviewing evidence.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (h). The agency indicated in their response to the PAQ that substantiated allegations of conduct that appear to be criminal are referred for prosecution. Since August 20, 2012, or the facility's last PREA audit, whichever is later, the facility reported there has been no substantiated allegation of sexual abuse which was referred for prosecution. Any referral for prosecution would come from the RPD and follow their policies and procedures.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (i). The facility indicated in their response to the PAQ that the agency retains all written reports pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency plus five years. The auditor confirmed through conversations with the PREA Coordinator that the agency would maintain investigative records for the period of time required by this provision.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (j). During interviews with staff, they confirmed the departure of an alleged victim or abuser from the employment or control of the facility or agency shall not provide a basis for terminating an investigation. Investigators were asked how the facility proceeds when a staff member alleged to have committed sexual abuse terminates employment prior to completion of an investigation. They indicated that the investigation would proceed, including a reasonable effort to interview the involved parties. All efforts would be documented.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

115.271 (l). I confirmed with the Director that when the RPD they would stay in contact with them, through email or phone.

A final analysis of the evidence indicates the facility is in substantial compliance with this provision.

The agency will conduct administrative investigations, they also conduct an internal investigation into all PREA allegations. This process ensures that the agency can identify any issues that may not meet a violation of the PREA standards but may be a violation of other VOA policies. The agency PREA Coordinator has taken a course on conducting PREA investigations. This practice far exceeds the requirements of the standard.

	<p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the facility interviews, I found that the agency is compliant with the provisions of this standard.</p>
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<b>115.272</b>	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Investigators</li> </ul> <p>115.272 (a). The agency indicated in their response to the PAQ that the agency does not impose a standard of a preponderance of the evidence or a lower standard of proof when determining whether allegations of sexual abuse or sexual harassment are substantiated. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that for administrative investigations the agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Through discussion with staff, I confirmed that the investigators utilize a standard of a preponderance of the evidence or a lower standard of proof when determining whether allegations of sexual abuse or sexual harassment are substantiated. This was further confirmed through review of incident reports.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance</p>

	<p>with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.273</b>	<b>Reporting to residents</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Sample Notification Letter</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Director</li> </ul> <p>115.273 (a). The agency indicated in their response to the PAQ that the agency has a policy requiring that any resident who alleges they suffered sexual abuse in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined substantiated, unsubstantiated, or unfounded following an investigation by the agency. In the 12-month review period, no sexual abuse investigations were completed.</p> <p>Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that following an investigation into a resident's allegation of sexual abuse suffered in an agency facility, the agency shall inform the resident in writing as to whether the allegation has been determined to</p>

be substantiated, unsubstantiated, or unfounded. In practice, the agency notifies the alleged victim of the outcome and documented.

A final analysis of the evidence indicates the agency substantially exceeds compliance with this provision.

115.273 (b). The agency indicated in their response to the PAQ that If an outside entity conducts such investigations, the agency requests the relevant information from the investigative entity in order to inform the resident of the outcome of the investigation. The outcomes of the investigations are provided to the agency and the resident is notified and this notification would be documented. The auditor confirmed this practice with the Director.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.273 (c). The agency indicated in their response to the PAQ that following an resident 's allegation that a staff member committed sexual abuse against the resident , the agency subsequently informs the resident (unless the disposition is unfounded) whenever: the staff member is no longer posted within the resident 's unit; the staff member is no longer employed at the agency; the agency learns that the staff member has been indicted on a charge related to sexual abuse within the agency; or the agency learns that the staff member has been convicted on a charge related to sexual abuse within the agency. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that following a resident's allegation that a staff member has committed sexual abuse against the resident, the agency shall subsequently inform the resident (unless the agency has determined that the allegation is unfounded) whenever:

- The staff member is no longer posted within the resident's unit;
- The staff member is no longer employed at the facility;
- The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
- The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility

In the 12-month review period, there were no staff-on-resident sexual abuse allegations to review.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

	<p>115.273 (d). The agency indicated in their response to the PAQ that following an resident 's allegation that they have been sexually abused by another resident , the agency subsequently informs the alleged victim whenever: the agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the agency; or the agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the agency. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that following a resident's allegation that he or she has been sexually abused by another resident, the agency shall subsequently inform the alleged victim whenever:</p> <ul style="list-style-type: none"> <li>· The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or</li> <li>· The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</li> </ul> <p>In the 12-month review period, there were no resident-on-resident sexual abuse allegations to review.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.273 (e). The agency indicated in their response to the PAQ that all notifications to residents described under this standard are documented. The auditor reviewed sample notification letters from allegations prior to the auditing period, the letters meet all provisions of the standard.</p> <p>In the 12-month review period, there were sexual abuse allegations to review.</p> <p>A final analysis of the evidence indicates the agency substantially exceeds compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.276</b>	<b>Disciplinary sanctions for staff</b>
	<b>Auditor Overall Determination:</b> Meets Standard

**Auditor Discussion**

The following evidence was analyzed in making a determination of compliance:

Documentation reviewed:

- a. Pre-Audit Questionnaire
- b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy

Interviews

- a. PREA Coordinator

115.276 (a). The agency indicated in their response to the PAQ that staff is subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that staff shall be subject to disciplinary sanctions up to and including termination for violating VOA sexual abuse or sexual harassment policies.

In the past 12 months, zero facility staff members have been disciplined or terminated for violating the policies.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.276 (b). The agency indicated in their response to the PAQ that in the past 12 months zero staff members have violated agency sexual abuse or sexual harassment policies; this assertion was verified during conversation with the PREA Coordinator. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse of residents.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.276(c). The agency indicated in their response to the PAQ that 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. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that disciplinary sanctions for violations of VOA policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

As stated above, they indicated that in the past 12 months zero facility staff members have been disciplined or terminated for violation of agency sexual abuse or sexual harassment policies.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.276(d). The agency indicated in their response to the PAQ that 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. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that all terminations for violations of VOA sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, (unless the activity was clearly not criminal), and to any relevant licensing bodies.

In the past 12 months, zero facility staff members were reported to law enforcement or licensing bodies following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies.

The discipline practices were verified through interviews with the PREA Coordinator.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.

115.277	Corrective action for contractors and volunteers
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Director</li> </ul> <p>115.277(a)(b). The agency indicated in their response to the PAQ that agency policy requires any contractor or volunteer who engages in sexual abuse be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing bodies. They shall, further, be prohibited from contact with residents. In the past 12 months, no contractors or volunteers have been reported for engaging in sexual abuse of residents. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states:</p> <ul style="list-style-type: none"> <li>· Any contractor or volunteer who engages in sexual abuse or sexual harassment shall be prohibited from entry to any VOA programs and shall be reported to law enforcement agencies, (unless the activity was clearly not criminal), and to relevant licensing bodies.</li> <li>· The facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with residents, in the case of any other violation of VOA sexual abuse or sexual harassment policies by a contractor or volunteer.</li> </ul> <p>The Director indicated that they would immediately restrict facility access.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information</p>

	received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.
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<b>115.278</b>	<b>Disciplinary sanctions for residents</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. PREA Coordinator</li> </ul> <p>115.278 (a). The agency indicated in their response to the PAQ that residents are subject to disciplinary sanctions only pursuant to a formal disciplinary process following an administrative and/or criminal finding that a resident engaged in resident- on- resident sexual abuse. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that residents shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the resident engaged in resident-on-resident sexual abuse or sexual harassment or following a criminal finding of guilt for resident-on-resident sexual abuse or sexual harassment.</p> <p>In the past 12 months, zero residents have been found to have engaged in resident-on-resident sexual abuse.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.278 (b). The Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy describes a uniform process by which to impose sanctions to conform with the expectation of this provision which requires that disciplinary sanctions must be commensurate with the nature and</p>

circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories.

An interview with the staff affirmed practice consistent with this provision. They indicated that residents found to have engaged in resident-on-resident sexual abuse are subject to the internal disciplinary process, which includes a range of progressive sanctions such as restrictions, segregation, loss of privileges, and prosecutorial referral.

As noted above, there have been no administrative findings of resident-on-resident sexual abuse; as such, the auditor was unable to review resident sanctions related to a finding of sexual abuse. However, policy supports a process in place to ensure resident perpetrators are held accountable.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.278 (c) The disciplinary process takes into consideration the resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. The Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that the disciplinary process shall consider whether a resident's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.278 (d). The agency does not offer therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for sexual abuse. The resident would be referred to a outside provider. This practice was confirmed through interviews.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.278 (e). The agency indicated in their response to the PAQ that the agency disciplines residents for sexual conduct with staff only upon finding that the staff member did not consent to such contact. Any allegations of this nature are criminal and fall under NY Criminal Law. In the preceding 12 months, there were no instances of sexual conduct with staff in which the staff person did not consent. Accordingly, there was no documentation available for review of a substantiated case of staff-on-resident sexual contact in which the evidence showed there was a lack of consent of the involved staff member.

	<p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.278 (f). The agency indicated in their response to the PAQ that the agency prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred, even if an investigation does not establish evidence sufficient to substantiate the allegation. The Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that for the purpose of disciplinary action, a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.278 (g). The agency indicated in their response to the PAQ that the agency prohibits all sexual activity between residents and disciplines residents for such conduct when an investigation reveals the conduct was not coerced. All sexual activity between residents is prohibited, and residents are subject to disciplinary action for such behavior.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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115.282	Access to emergency medical and mental health services
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	The following evidence was analyzed in making a determination of compliance:

Documentation reviewed:

- a. Pre-Audit Questionnaire
- b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy

Interviews

- a. Random Staff

115.282 (a). The agency indicated in their response to the PAQ that resident victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of such services are determined by medical and mental health practitioners according to their professional judgment. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that resident victims of sexual abuse shall 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. The facility will offer all victims of sexual abuse access to forensic medical examinations at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations will be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. They are transported to Strong Memorial Hospital for a Sane Examination.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.282 (b). All victims will be immediately provided with the opportunity to go for a medical and mental health assessment. Security staff first responders take preliminary steps to protect the alleged victim and immediately notify the appropriate supervisors following an emergency. All staff members successfully articulated their medically related protection and first responder duties pursuant to 115.262 and 115.264, respectively (as noted in those discussions).

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.282 (c). The agency indicated in their response to the PAQ that resident victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis,

	<p>in accordance with professionally accepted standards of care, where medically appropriate. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that resident victims of sexual abuse while in community confinement shall be 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.</p> <p>The Director will coordinate medical services and referrals for treatment in the community.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.282 (d). The agency indicated in their response to the PAQ that treatment services are provided to every victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that treatment services shall be 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.</p> <p>The staff confirmed the process.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.283</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

The following evidence was analyzed in making a determination of compliance:

Documentation reviewed:

- a. Pre-Audit Questionnaire
- b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy

Interviews

- a. Random Staff

115.283 (a, b, c). The agency indicated in their response to the PAQ that the agency offers medical and mental health evaluations and, as appropriate, treatment to all residents who have been victimized by sexual abuse in a confinement setting and that such services are consistent with the community level of care. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that the program shall coordinate access to medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any criminal justice setting. This includes helping residents call local or state sexual abuse hotlines, connecting residents with immediate mental health care options and referring residents to emergency medical services with SANE nurses. Each site should refer to its PREA First Responder Protocol for site-specific and updated information. VOA staff will help residents make phone calls, provide transportation and/or accompany residents to appointments as appropriate and requested. This includes follow-up services, treatment plans, and referrals for continued care following their release from the facility. Staff discussions confirmed residents will receive ongoing treatment in accordance with hospital discharge instructions.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.283 (d, e). The agency indicated in their response to the PAQ that the agency would offer pregnancy tests or information about lawful pregnancy related medical services to female victims of sexually abusive vaginal penetration. This would be provided at the hospital.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.283 (f) The agency indicated in their response to the PAQ that resident victims



of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that resident victims of sexual abuse while incarcerated shall be provided referrals for tests for sexually transmitted infections as medically appropriate. Staff will also provide residents with the requested level of support (transportation, staff accompaniment, etc.) necessary for residents to access these referrals.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.283 (g). The agency indicated in their response to the PAQ that 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. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that on-going treatment services shall be 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.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.283 (h). The agency indicated in their response to the PAQ that the agency attempts to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offers treatment when deemed appropriate by mental health practitioners. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that the program shall attempt to coordinate a mental health evaluation of all known resident-on-resident abusers who remain in a VOA facility within 60 days of learning of such abuse history and connect abusers with treatment when deemed appropriate by mental health practitioners. VOA staff will work with the funding agency to identify an appropriate mental health evaluator and encourage resident engagement in the evaluation and follow-up treatment deemed appropriate by the mental health evaluator.

There were no known resident-on- resident abusers at the facility in the 12-month review period.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This

	assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.
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<b>115.286</b>	<b>Sexual abuse incident reviews</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> <li>c. Sexual Abuse Incident Review Checklist</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. Director</li> <li>b. PREA Coordinator</li> </ul> <p>115.286 (a). The agency indicated in their response to the PAQ that the agency conducts a sexual abuse incident review at the conclusion of every criminal or administrative sexual abuse investigation unless the allegation has been determined to be unfounded. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that the facility shall conduct a sexual abuse or sexual harassment incident review at the conclusion of every sexual abuse/harassment investigation, including where the allegation has not been substantiated.</p> <p>In the past 12 months, the agency has not conducted any investigation reviews.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p>

115.286 (b). The agency indicated in their response to the PAQ that the agency ordinarily conducts a sexual abuse incident review within 30 days of the conclusion of the criminal or administrative sexual abuse or sexual harassment investigation. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that such review shall ordinarily occur within 30 days of the conclusion of the investigation.

The PREA Coordinator confirmed that a review would be conducted within 30 days of the conclusion of the investigation.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.286 (c). The agency indicated in their response to the PAQ that the sexual abuse incident review includes upper-level management officials and allows for input from line supervisors, and investigators. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that the review team shall include upper-level management officials, with input from line supervisors, investigators, local law enforcement and medical or mental health practitioners.

The review team is chaired by the Agency PREA Coordinator and the review team includes the VP of Housing.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.286 (d). The agency indicated in their response to the PAQ that the agency prepares a report of its findings from sexual abuse incident reviews including, but not necessarily limited to, determinations made pursuant to the above provisions and any recommendations for improvement and submits such report to the agency head. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that:

The review team shall:

- Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
- Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;

	<ul style="list-style-type: none"> <li>· Assess the adequacy of staffing levels in that area during different shifts;</li> <li>· Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff and current camera systems; and</li> <li>· Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to sections a. – e. (above) and any recommendations for improvement, and submit such report to the Program Director and the PREA Coordinator.</li> </ul> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.286 (e). The agency indicated in their response to the PAQ that the agency implements recommendations for improvement or documents its reasons for not doing so. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that the facility shall implement the recommendations for improvement or shall document its reasons for non-compliance.</p> <p>This incident review practices were confirmed by the PREA Coordinator. Two incident reviews are conducted for every PREA allegation, the BOP conducts an incident review, and the agency conducts their own internal incident review following the provisions of the standard. The agency is also reviewing all sexual harassment investigations. The practice of reviewing incidents internally, as well as including sexual harassment investigations exceed the requirements of the standard.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.287</b>	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

The following evidence was analyzed in making a determination of compliance:

Documentation reviewed:

- a. Pre-Audit Questionnaire
- b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy

115.287 (a)(b)(c)(d). The agency indicated in their response to the PAQ that the agency:

- (a) The agency collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions.
- (b) The agency aggregates the incident-based sexual abuse data at least annually.
- (c) The standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.
- (d) The agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that:

- VOA shall collect accurate, uniform data for every allegation of sexual abuse and sexual harassment at all facilities under its direct control using a standardized instrument and set of definitions.
- VOA shall aggregate the incident-based sexual abuse data at least annually.
- The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.
- VOA shall maintain, review, and collect data as needed from all available incident-based documents including reports, investigation files, and sexual abuse incident reviews.

115.287 (e) The agency does not obtain incident-based and aggregated data from every private agency with which it contracts for the confinement of its residents. In the agency responses to provision (e) in the PAQ they indicate that they do not hold any contracts for the confinement of residents.

	<p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.287 (f). The agency indicated in their response to the PAQ that the agency has not provided the Department of Justice (DOJ) with data from the previous calendar year.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>The PREA Coordinator confirmed the incident collection and review process.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.288</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ul style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ul> <p>Interviews</p> <ul style="list-style-type: none"> <li>a. PREA Coordinator</li> </ul> <p>115.288 (a)(b)(c)(d). The agency indicated in their response to the PAQ that the agency is in compliance with the following provisions:</p>

(a) The agency reviews data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including:

- Identifying problem areas;
- Taking corrective action on an ongoing basis; and
- Preparing an annual report of its findings from its data review and any corrective actions for each agency, as well as the agency as a whole.

(b) The annual report includes a comparison of the current year's data and corrective actions with those from prior years and the annual report provides an assessment of the agency's progress in addressing sexual abuse.

(c) The agency makes its annual report readily available to the public at least annually through its website and approved by the agency head.

(d) When the agency redacts material from an annual report for publication, the redactions are limited to specific materials where publication would present a clear and specific threat to the safety and security of the agency and the agency indicates the nature of material redacted.

Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that VOA shall review data collected and aggregated pursuant to Section Q. in order 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 program, as well as VOA as a whole.

Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.

VOA's report shall be approved by VOA's CEO and made readily available to the public through its website.

VOA may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a program but must indicate the nature of the material redacted.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

The PREA Coordinator confirmed the incident collection and review process.

	<p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.289</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <ol style="list-style-type: none"> <li>a. Pre-Audit Questionnaire</li> <li>b. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy</li> </ol> <p>Interviews</p> <ol style="list-style-type: none"> <li>a. PREA Coordinator</li> </ol> <p>115.289 (a)(b)(c)(d). The agency indicated in their response to the PAQ that the agency ensures incident-based and aggregate data are securely retained. Volunteers of America Upstate New York Staff and Residents Sexual Abuse and Sexual Harassment (PREA) policy states that:</p> <ul style="list-style-type: none"> <li>· VOA shall ensure that data collected pursuant to Section Q. are securely retained in locked filing cabinets behind locked doors or in limited access electronic files. Access to electronic files is controlled by Information Technology staff and access requires the PREA Coordinator's authorization.</li> <li>· VOA shall make all aggregated sexual abuse data, from programs under its direct control, readily available to the public at least annually through its website.</li> <li>· Before making aggregated sexual abuse data publicly available, VOA shall remove all personal identifiers.</li> </ul>



	<p>· VOA shall maintain sexual abuse data collected pursuant to Section Q. for at least 10 years after the date of the initial collection unless Federal, State, or local law requires otherwise.</p> <p>The PREA Coordinator understood the agency's responsibilities under the provisions of this standard.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>The PREA Coordinator confirmed the incident collection and review process.</p> <p>Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.</p>
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<b>115.401</b>	<b>Frequency and scope of audits</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>The following evidence was analyzed in making a determination of compliance:</p> <p>Documentation reviewed:</p> <p>a. Pre-Audit Questionnaire</p> <p>115.401 (a). The auditor confirmed by review of the public website that beginning in Audit Cycle I, and during each three-year period thereafter, the agency ensured each agency operated by the agency, or by a private organization on behalf of the agency, was and is audited at least once.</p> <p>A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p>115.401 (b). An interview with the PREA Coordinator indicated the agency has two facilities that are audited in different years of the auditing cycle.</p>

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.401 (h). During the onsite review, the auditor had unrestricted access to all areas of the agency. The auditor was invited, and accommodated, to observe any area or operation within the agency upon request.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.401 (i). During all phases of the audit, the staff consistently made available to the auditor documents, records, files, photographs, etc. in a timely manner. During the onsite phase of the audit, the auditors had unrestricted access to files, reports, and automated information systems at the agency and agency levels.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.401 (m). During the onsite phase of the audit, the auditor and staff worked cooperatively to develop a private process and location for conducting interviews of both staff and residents. The auditor benefited greatly from the agency's active coordination of interviews and attempts to troubleshoot refusals.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

115.401 (n). Audit notices included a confidentiality statement and instructions to contact the auditor via mail, if desired. The notices were forwarded on February 25, 2025. The auditor did not receive any correspondence from any resident or staff member during any phase of the audit.

A final analysis of the evidence indicates the agency is in substantial compliance with this provision.

Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation, and the information received during the agency interviews, I found that the agency is in compliance with all provisions of the standard.

115.403	Audit contents and findings
	<p data-bbox="279 185 981 219"><b>Auditor Overall Determination:</b> Meets Standard</p> <p data-bbox="279 264 564 297"><b>Auditor Discussion</b></p> <p data-bbox="279 342 1404 376">The following evidence was analyzed in making a determination of compliance:</p> <p data-bbox="279 409 646 443">Documentation reviewed:</p> <ul style="list-style-type: none"> <li data-bbox="279 488 750 521">a. Pre-Audit Questionnaire</li> <li data-bbox="279 555 619 589">b. Public website</li> </ul> <p data-bbox="279 701 1465 857">115.403 (f). The agency's website has a link dedicated to PREA-related information, including applicable policies and procedures; directions to report an allegation of sexual abuse or sexual harassment; and the prior audit reports. <a href="https://www.voa-upny.org/services/prison-rape-elimination-act-information-and-reporting/">https://www.voa-upny.org/services/prison-rape-elimination-act-information-and-reporting/</a></p> <p data-bbox="279 902 1426 969">A final analysis of the evidence indicates the agency is in substantial compliance with this provision.</p> <p data-bbox="279 1081 1477 1406">Upon completion of the Pre-Audit and Onsite Audit phases, I conducted a systematic evidence review of the information obtained during the audit process. I utilized the Compliance Tool as a guide to ensure that all aspects of the standard were met. This assurance was made by a triangulation of the policies and documentation reviewed, my personal observations during the onsite audit, and through the information received during the interviews. After reviewing all documentation and the information received during the facility interviews, I found that the agency is in compliance with all provisions of the standard.</p>

<b>Appendix: Provision Findings</b>		
<b>115.211 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
<b>115.211 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its community confinement facilities?	yes
<b>115.212 (a)</b>	<b>Contracting with other entities for the confinement of residents</b>	
	If this agency is public and it contracts for the confinement of its residents with private agencies or other entities, including other government agencies, has the agency included the entity's obligation to adopt and comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.)	na
<b>115.212 (b)</b>	<b>Contracting with other entities for the confinement of residents</b>	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.)	na
<b>115.212 (c)</b>	<b>Contracting with other entities for the confinement of residents</b>	
	If the agency has entered into a contract with an entity that fails to comply with the PREA standards, did the agency do so only in	na

	emergency circumstances after making all reasonable attempts to find a PREA compliant private agency or other entity to confine residents? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	
	In such a case, does the agency document its unsuccessful attempts to find an entity in compliance with the standards? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.)	na
<b>115.213 (a)</b>	<b>Supervision and monitoring</b>	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring to protect residents against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The physical layout of each facility?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the resident population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
<b>115.213 (b)</b>	<b>Supervision and monitoring</b>	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (NA if no deviations from staffing plan.)	na
<b>115.213 (c)</b>	<b>Supervision and monitoring</b>	
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to prevailing	yes

	staffing patterns?	
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the resources the facility has available to commit to ensure adequate staffing levels?	yes
<b>115.215 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting any cross-gender strip searches or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
<b>115.215 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches of female residents, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female residents' access to regularly available programming or other outside opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	yes
<b>115.215 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female residents?	yes
<b>115.215 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility have policies that enable residents 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?	yes
	Does the facility have procedures that enable residents to shower,	yes

	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?	
	Does the facility require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing?	yes
<b>115.215 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from searching or physically examining transgender or intersex residents for the sole purpose of determining the resident's genital status?	yes
	If the resident's genital status is unknown, does the facility determine genital status during conversations with the resident, 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?	yes
<b>115.215 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
<b>115.216 (a)</b>	<b>Residents with disabilities and residents who are limited English proficient</b>	
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who are blind or have low vision?	yes

	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with residents who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Have intellectual disabilities?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Who are blind or have low vision?	yes
<b>115.216 (b)</b>	<b>Residents with disabilities and residents who are limited English proficient</b>	



	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to residents who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
<b>115.216 (c)</b>	<b>Residents with disabilities and residents who are limited English proficient</b>	
	Does the agency always refrain from relying on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.264, or the investigation of the resident's allegations?	yes
<b>115.217 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: 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?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of	yes

	force, or coercion, or if the victim did not consent or was unable to consent or refuse?	
	Does the agency prohibit the enlistment of the services of any contractor who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the two questions immediately above ?	yes
<b>115.217 (b)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with residents?	yes
	Does the agency consider any incidents of sexual harassment in determining to enlist the services of any contractor who may have contact with residents?	yes
<b>115.217 (c)</b>	<b>Hiring and promotion decisions</b>	
	Before hiring new employees who may have contact with residents, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with residents, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
<b>115.217 (d)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with residents?	yes
<b>115.217 (e)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees?	yes
<b>115.217</b>	<b>Hiring and promotion decisions</b>	

<b>(f)</b>		
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
<b>115.217 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.217 (h)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
<b>115.218 (a)</b>	<b>Upgrades to facilities and technology</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012 or since the last PREA audit, whichever is later.)	na
<b>115.218 (b)</b>	<b>Upgrades to facilities and technology</b>	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the	yes

	agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not installed or updated any video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012 or since the last PREA audit, whichever is later.)	
<b>115.221 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes
<b>115.221 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Is this protocol developmentally appropriate for youth where applicable? (NA if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (NA if the agency/facility is not responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes
<b>115.221 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes

	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
<b>115.221 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.221 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
<b>115.221 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
<b>115.221 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.221(d) above).	na

<b>115.222 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
<b>115.222 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	Does the agency have a policy in place to ensure that 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?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
<b>115.222 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for conducting criminal investigations. See 115.221(a).)	yes
<b>115.231 (a)</b>	<b>Employee training</b>	
	Does the agency train all employees who may have contact with residents on: Its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with residents on: How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with residents on: Residents' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with	yes

	residents on: The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	
	Does the agency train all employees who may have contact with residents on: The dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with residents on: The common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with residents on: How to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with residents on: How to avoid inappropriate relationships with residents?	yes
	Does the agency train all employees who may have contact with residents on: How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents?	yes
	Does the agency train all employees who may have contact with residents on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
<b>115.231 (b)</b>	<b>Employee training</b>	
	Is such training tailored to the gender of the residents at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa?	yes
<b>115.231 (c)</b>	<b>Employee training</b>	
	Have all current employees who may have contact with residents received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training,	yes

	does the agency provide refresher information on current sexual abuse and sexual harassment policies?	
<b>115.231 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.232 (a)</b>	<b>Volunteer and contractor training</b>	
	Has the agency ensured that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
<b>115.232 (b)</b>	<b>Volunteer and contractor training</b>	
	Have all volunteers and contractors who have contact with residents been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with residents)?	yes
<b>115.232 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.233 (a)</b>	<b>Resident education</b>	
	During intake, do residents receive information explaining: The agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do residents receive information explaining: How to report incidents or suspicions of sexual abuse or sexual harassment?	yes
	During intake, do residents receive information explaining: Their rights to be free from sexual abuse and sexual harassment?	yes



	During intake, do residents receive information explaining: Their rights to be free from retaliation for reporting such incidents?	yes
	During intake, do residents receive information regarding agency policies and procedures for responding to such incidents?	yes
<b>115.233 (b)</b>	<b>Resident education</b>	
	Does the agency provide refresher information whenever a resident is transferred to a different facility?	yes
<b>115.233 (c)</b>	<b>Resident education</b>	
	Does the agency provide resident education in formats accessible to all residents, including those who: Are limited English proficient?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are deaf?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are visually impaired?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Are otherwise disabled?	yes
	Does the agency provide resident education in formats accessible to all residents, including those who: Have limited reading skills?	yes
<b>115.233 (d)</b>	<b>Resident education</b>	
	Does the agency maintain documentation of resident participation in these education sessions?	yes
<b>115.233 (e)</b>	<b>Resident education</b>	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats?	yes
<b>115.234 (a)</b>	<b>Specialized training: Investigations</b>	
	In addition to the general training provided to all employees pursuant to §115.231, does the agency ensure that, to the extent	yes

	the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	
<b>115.234 (b)</b>	<b>Specialized training: Investigations</b>	
	Does this specialized training include: Techniques for interviewing sexual abuse victims?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
	Does this specialized training include: Proper use of Miranda and Garrity warnings?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
	Does this specialized training include: Sexual abuse evidence collection in confinement settings?(N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
	Does this specialized training include: The criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a)).	yes
<b>115.234 (c)</b>	<b>Specialized training: Investigations</b>	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of criminal or administrative sexual abuse investigations. See 115.221(a).)	yes
<b>115.235 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	na

	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	na
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	na
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	na
<b>115.235 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency does not employ medical staff or the medical staff employed by the agency do not conduct forensic exams.)	na
<b>115.235 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	na
<b>115.235 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.231? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	na
	Do medical and mental health care practitioners contracted by	na

	and volunteering for the agency also receive training mandated for contractors and volunteers by §115.232? (N/A for circumstances in which a particular status (employee or contractor/volunteer) does not apply.)	
<b>115.241 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all residents assessed during an intake screening for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
	Are all residents assessed upon transfer to another facility for their risk of being sexually abused by other residents or sexually abusive toward other residents?	yes
<b>115.241 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.241 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes
<b>115.241 (d)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The age of the resident?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The physical build of the resident?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization:	yes

	Whether the resident's criminal history is exclusively nonviolent?	
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the resident about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the resident is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The resident's own perception of vulnerability?	yes
<b>115.241 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse?	yes
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses?	yes
	In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse?	yes
<b>115.241 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Within a set time period not more than 30 days from the resident's arrival at the facility, does the facility reassess the resident's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

<b>115.241 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Does the facility reassess a resident's risk level when warranted due to a: Referral?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Request?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Incident of sexual abuse?	yes
	Does the facility reassess a resident's risk level when warranted due to a: Receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness?	yes
<b>115.241 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Is it the case that residents are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
<b>115.241 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents?	yes
<b>115.242 (a)</b>	<b>Use of screening information</b>	
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes

	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
<b>115.242 (b)</b>	<b>Use of screening information</b>	
	Does the agency make individualized determinations about how to ensure the safety of each resident?	yes
<b>115.242 (c)</b>	<b>Use of screening information</b>	
	When deciding whether to assign a transgender or intersex resident to a facility for male or female residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns residents to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems?	yes
<b>115.242 (d)</b>	<b>Use of screening information</b>	
	Are each transgender or intersex resident's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
<b>115.242 (e)</b>	<b>Use of screening information</b>	
	Are transgender and intersex residents given the opportunity to shower separately from other residents?	yes
<b>115.242</b>	<b>Use of screening information</b>	

<b>(f)</b>		
	Unless 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 lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: lesbian, gay, and bisexual residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless 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 lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: transgender residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless 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 lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: intersex residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.)	yes
<b>115.251 (a)</b>	<b>Resident reporting</b>	
	Does the agency provide multiple internal ways for residents to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Retaliation by other residents or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for residents to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
<b>115.251 (b)</b>	<b>Resident reporting</b>	



	Does the agency also provide at least one way for residents to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the resident to remain anonymous upon request?	yes
<b>115.251 (c)</b>	<b>Resident reporting</b>	
	Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Do staff members promptly document any verbal reports of sexual abuse and sexual harassment?	yes
<b>115.251 (d)</b>	<b>Resident reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of residents?	yes
<b>115.252 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address resident grievances regarding sexual abuse. This does not mean the agency is exempt simply because a resident does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
<b>115.252 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency permit residents to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	na
	Does the agency always refrain from requiring a resident to use any informal grievance process, or to otherwise attempt to resolve	na

	with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	
<b>115.252 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: a resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	na
	Does the agency ensure that: such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	na
<b>115.252 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency issue 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? (Computation of the 90-day time period does not include time consumed by residents in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	na
	If the agency determines that the 90-day timeframe is insufficient to make an appropriate decision and claims an extension of time (the maximum allowable extension is 70 days per 115.252(d)(3)), does the agency notify the resident in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	na
	At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, may a resident consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	na
<b>115.252 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	Are third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	na
	Are those third parties also permitted to file such requests on behalf of residents? (If a third party files such a request on behalf	na

	of a resident, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	
	If the resident declines to have the request processed on his or her behalf, does the agency document the resident's decision? (N/A if agency is exempt from this standard.)	na
<b>115.252 (f)</b>	<b>Exhaustion of administrative remedies</b>	
	Has the agency established procedures for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	na
	After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward 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 may be taken? (N/A if agency is exempt from this standard.)	na
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	na
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	na
	Does the initial response and final agency decision document the agency's determination whether the resident is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	na
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	na
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	na
<b>115.252 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	If the agency disciplines a resident for filing a grievance related to	na

	alleged sexual abuse, does it do so ONLY where the agency demonstrates that the resident filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	
<b>115.253 (a)</b>	<b>Resident access to outside confidential support services</b>	
	Does the facility provide residents with access to outside victim advocates for emotional support services related to sexual abuse by giving residents mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility enable reasonable communication between residents and these organizations, in as confidential a manner as possible?	yes
<b>115.253 (b)</b>	<b>Resident access to outside confidential support services</b>	
	Does the facility inform residents, 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?	yes
<b>115.253 (c)</b>	<b>Resident access to outside confidential support services</b>	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
<b>115.254 (a)</b>	<b>Third party reporting</b>	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of a resident?	yes
<b>115.261 (a)</b>	<b>Staff and agency reporting duties</b>	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or	yes

	information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against residents or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
<b>115.261 (b)</b>	<b>Staff and agency reporting duties</b>	
	Apart from reporting to designated supervisors or officials, do staff always refrain from revealing 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?	yes
<b>115.261 (c)</b>	<b>Staff and agency reporting duties</b>	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform residents of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
<b>115.261 (d)</b>	<b>Staff and agency reporting duties</b>	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
<b>115.261 (e)</b>	<b>Staff and agency reporting duties</b>	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

<b>115.262 (a)</b>	<b>Agency protection duties</b>	
	When the agency learns that a resident is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the resident?	yes
<b>115.263 (a)</b>	<b>Reporting to other confinement facilities</b>	
	Upon receiving an allegation that a resident was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
<b>115.263 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
<b>115.263 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.263 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.264 (a)</b>	<b>Staff first responder duties</b>	
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate,	yes

	washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	
	Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: 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, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
<b>115.264 (b)</b>	<b>Staff first responder duties</b>	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
<b>115.265 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
<b>115.266 (a)</b>	<b>Preservation of ability to protect residents from contact with abusers</b>	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	no
<b>115.267 (a)</b>	<b>Agency protection against retaliation</b>	
	Has the agency established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff?	yes

	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
<b>115.267 (b)</b>	<b>Agency protection against retaliation</b>	
	Does the agency employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
<b>115.267 (c)</b>	<b>Agency protection against retaliation</b>	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any resident disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency:4. Monitor resident housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor resident program changes?	yes



	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignment of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
<b>115.267 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of residents, does such monitoring also include periodic status checks?	yes
<b>115.267 (e)</b>	<b>Agency protection against retaliation</b>	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
<b>115.271 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a). )	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a). )	yes
<b>115.271 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.234?	yes
<b>115.271 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	Do investigators gather and preserve direct and circumstantial	yes

	evidence, including any available physical and DNA evidence and any available electronic monitoring data?	
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
<b>115.271 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
<b>115.271 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as resident or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
<b>115.271 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
<b>115.271 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
<b>115.271</b>	<b>Criminal and administrative agency investigations</b>	

<b>(h)</b>		
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.271 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency retain all written reports referenced in 115.271(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
<b>115.271 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the facility or agency does not provide a basis for terminating an investigation?	yes
<b>115.271 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).)	yes
<b>115.272 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
<b>115.273 (a)</b>	<b>Reporting to residents</b>	
	Following an investigation into a resident's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
<b>115.273 (b)</b>	<b>Reporting to residents</b>	
	If the agency did not conduct the investigation into a resident's allegation of sexual abuse in an agency facility, does the agency	yes

	request the relevant information from the investigative agency in order to inform the resident? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	
<b>115.273 (c)</b>	<b>Reporting to residents</b>	
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the resident's unit?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
<b>115.273 (d)</b>	<b>Reporting to residents</b>	
	Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform	yes

	the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	
<b>115.273 (e)</b>	<b>Reporting to residents</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.276 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.276 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
<b>115.276 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) 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?	yes
<b>115.276 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	Are 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, reported to: Law enforcement agencies, unless the activity was clearly not criminal?	yes
	Are 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, reported to: Relevant licensing bodies?	yes
<b>115.277 (a)</b>	<b>Corrective action for contractors and volunteers</b>	

	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with residents?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
<b>115.277 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with residents?	yes
<b>115.278 (a)</b>	<b>Disciplinary sanctions for residents</b>	
	Following an administrative finding that a resident engaged in resident-on-resident sexual abuse, or following a criminal finding of guilt for resident-on-resident sexual abuse, are residents subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
<b>115.278 (b)</b>	<b>Disciplinary sanctions for residents</b>	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories?	yes
<b>115.278 (c)</b>	<b>Disciplinary sanctions for residents</b>	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a resident's mental disabilities or mental illness contributed to his or her behavior?	yes
<b>115.278 (d)</b>	<b>Disciplinary sanctions for residents</b>	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending resident to participate in such interventions as a	yes

	condition of access to programming and other benefits?	
<b>115.278 (e)</b>	<b>Disciplinary sanctions for residents</b>	
	Does the agency discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
<b>115.278 (f)</b>	<b>Disciplinary sanctions for residents</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
<b>115.278 (g)</b>	<b>Disciplinary sanctions for residents</b>	
	Does the agency always refrain from considering non-coercive sexual activity between residents to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between residents.)	yes
<b>115.282 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	Do resident 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?	yes
<b>115.282 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.262?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
<b>115.282 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	Are resident victims of sexual abuse offered timely information	yes

	about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	
<b>115.282 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	Are treatment services 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?	yes
<b>115.283 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
<b>115.283 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does 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?	yes
<b>115.283 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.283 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are resident victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if “all-male” facility. Note: in “all-male” facilities, there may be residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
<b>115.283 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	If pregnancy results from the conduct described in paragraph § 115.283(d), do such victims receive timely and comprehensive	yes



	information about and timely access to all lawful pregnancy-related medical services? (N/A if “all-male” facility. Note: in “all-male” facilities, there may be residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	
<b>115.283 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are resident victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.283 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are treatment services 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?	yes
<b>115.283 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Does the facility attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners?	yes
<b>115.286 (a)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility conduct 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?	yes
<b>115.286 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.286 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

<b>115.286 (d)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: 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; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.286(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
<b>115.286 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
<b>115.287 (a)</b>	<b>Data collection</b>	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
<b>115.287 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.287</b>	<b>Data collection</b>	

<b>(c)</b>		
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
<b>115.287 (d)</b>	<b>Data collection</b>	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
<b>115.287 (e)</b>	<b>Data collection</b>	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents? (N/A if agency does not contract for the confinement of its residents.)	na
<b>115.287 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
<b>115.288 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes

<b>115.288 (b)</b>	<b>Data review for corrective action</b>	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
<b>115.288 (c)</b>	<b>Data review for corrective action</b>	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
<b>115.288 (d)</b>	<b>Data review for corrective action</b>	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
<b>115.289 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.287 are securely retained?	yes
<b>115.289 (b)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency make 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 or, if it does not have one, through other means?	yes
<b>115.289 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.289 (d)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency maintain sexual abuse data collected pursuant to § 115.287 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes

<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes
<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	yes
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with residents?	yes
<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	Were inmates, residents, and detainees permitted to send confidential information or correspondence to the auditor in the	yes

	same manner as if they were communicating with legal counsel?	
<b>115.403 (f)</b>	<b>Audit contents and findings</b>	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes