

Terrell County Correctional Institution

James W. McClung, Warden

3110 Albany Hwy

Freddy Grimsley, D/W, Security



229-995-5381/229-995-3005

LaVerne G. Richardson D/W

Care & Treatment

TERRELL COUNTY CORRECTIONAL INSTITUTION HAS NOT HAD ANY PREA (Sexual Violation) CASES TO OCCUR AT THIS FACILITY AS OF THE MONTH OF MARCH IN THE YEAR 2017.

D/W LaVerne Richardson

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

Interim Final Report

Auditor Information

Auditor name: Katherine Brown

Address: 12121 Little Road Suite 286 Hudson, Florida 34667

Email: kbrown2828@yahoo.com

Telephone number: 727-470-4123

Date of facility visit: May 3, 2016

Date report submitted: May 5, 2016

Facility Information

Name of facility: Terrell County Correctional Institution

Physical address: 3110 Albany Hwy Dawson, GA 39842

Facility mailing address: N/A

Telephone number: 229-995-3005

Terrell County Military County Federal

Correctional Private for profit Municipal State

Institution is: Private not for profit

Facility Type: Jail Prison

Name of facility's Chief Executive Officer: James McClung **Title:** Warden

Number of staff assigned to Terrell County Correctional Institution in the last 12 months:

Designed facility capacity: 150

Current population of facility: 240

Facility security levels/inmate custody levels: Medium

Age range of the population: 18-66

Name of PREA Compliance Manager: LaVerne Richardson **Title:** Deputy Warden

Email address: terrellci@aol.com **Telephone #** 229-995-3005

Agency Information

Name of agency:

Governing authority or parent agency: Terrell County Board of Commissioners

Physical address: 3110 Albany Hwy Dawson, GA 39842

Mailing address: N/A

Telephone number: 229-995-3005

Agency Chief Executive Officer

Name: McClung **Title:** Warden

Email address: terrellci@aol.com **Telephone number:**

AUDIT FINDINGS

NARRATIVE:

The audit of Terrell County Correctional Institute was conducted on May 3, 2016 by Katherine Brown, Certified PREA auditor. The areas toured were a total of 7 small dorms and 7 administrative detention/segregation cells, plus the kitchen, laundry, programs area, and work areas.

An entrance meeting was held with Deputy Warden of Care and Treatment Richardson and Deputy Warden of Security Jones.

Following the entrance meeting I toured the Terrell County Correctional Institute from 0845-0900. On the tour with me was, with Deputy Warden of Care and Treatment Richardson and Deputy Warden of Security Jones.

During the tour all facility notices were posted in all inmate dorms, program areas, and public areas announcing the audit. As I entered all inmate living areas cross gender announcements were made.

I asked for an alpha listing of all inmates housed at Terrell County Correctional Institution and randomly selected one inmate from each housing unit (10). There were no inmates who were limited English speaking or had hearing/vision impairment or transgender/intersex inmates. I also asked for a shift roster and interview all staff present at the facility (3). I conducted 9 specialized interviews.

There were no sexual assault/harassment allegation cases.

DESCRIPTION OF FACILITY CHARACTERISTICS:

Terrell County C.I. is a Medium security, 150 bed male facility prison. 10 bed spaces are for County Inmates. The physical layout of Terrell County Correctional Institution consists of 7 dorms. Dorm# 1 house up to 10 inmates this is the Firemen Dorm that is located outside of the prison at the Fire Station. Dorm #2 .house up to 16 inmates. Dorm #3 house 18 inmates. Dorm #4 (safe House) house up to 22 inmates. Dorm # 5 house up to 24 inmates. Dorm #6 house up to 34 inmates, and Dorm # 7 house 26 inmates. There are 7 Isolation or Administrative Segregation cells. They are designed to help with inmate security, disciplinary, and behavior issues. The prison has a recreation yard behind the buildings, one laundry. One kitchen /dining hall. All areas are in plain view of the control room and/or monitored by the camera security system or officer presence. During the first of 2016 all interior doors or rooms that inmates have access to be fitted with glass windows to be more in PREA compliance. The administration area contains four offices with two restrooms, one conference room. Any physical layout changes to Terrell County Correctional Institution are approved by Warden McClung and ensure the changes do not interfere with PREA Standards.

SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded: 4

Number of standards met: 36

Number of standards not met:

Number of standards not applicable: 3

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of Local Operating Procedure (LOP) Statement & pg. 4, Zero Tolerance Statement, Organizational Chart and interview with PREA compliance manager I find they meet this standard.

Terrell County Correctional Institution has a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlines Terrell County Correctional Institution's approach to preventing, detecting, and responding to such conduct. LOP mandates zero tolerance toward all forms of sexual misconduct and is used to prevent, detect, and respond to any form of sexual abuse and sexual harassment.

Terrell County Correctional Institution employs or designates an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. The PREA Compliance Manager is the Deputy Warden of Care and Treatment who was appointed by the Warden and has the authority to comply with this standard.

§115.12 Contracting with other agencies for confinement of inmates

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Not applicable Standard

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

Terrell CI does not contract with another agency for the confinement of their inmates.

§115.13 Supervision and monitoring

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 4-6; SOP IIA07-0012; Staffing Plan and log book entries as well as interview with Warden and PREA Compliance Manager I find they meet this standard.

Terrell County Correctional Institution has developed, documented, and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing and uses video monitoring, to protect inmates against sexual abuse. Terrell County Correctional Institution complies with the standard based on review of staffing plan and shift rosters.

There have been no deviations from the staffing plan, however if there were it would be noted on the shift roster.

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

§115.14 Youthful inmates

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Not applicable standard

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

Terrell County CI does not house youthful inmates.

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 7, SOP IIB01-0013 and random staff and inmate interviews I find they meet this standard.

Terrell County Correctional Institution does not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent. In the event a cross gender search is done Terrell County Correctional Institution documents all cross-gender strip searches and cross-gender visual body cavity searches. During random staff and offender interviews it was confirmed staff do not perform cross gender strip searches.

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

Terrell County Correctional Institution has not had any transgender/intersex inmates however policies are in place that address the following:

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

Terrell County Correctional Institution trains security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. Random staff interviews confirmed they have been trained in cross gender pat down searches, however they do not perform pat searches. As part of the audit I also reviewed training records showing cross gender pat down searches.

§115.16

Inmates with disabilities and limited English speaking

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 8 & 9, PREA Pamphlet, PREA Posters, Language Line, MOU with Lily Pad SANE Center and interviews with random inmate and staff I find they meet this standard.

Terrell County Correctional Institution takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of Terrell County Correctional Institution's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Terrell CCI has contracted with the Language Line Solutions to provide interpretation services. This company can provide interpretation services over the phone, video remote and on site. Interpreting Contract service also includes access to interpretation services for American Sign Language via over the phone services.

Terrell County Correctional Institution does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. None have been used or required. Terrell CCI has PREA documentation available for inmates and is in English and Spanish format. If interpretation is needed for any other languages, the contracted translation services provided by Language Line Solutions also provides for documentation translation.

§115.17

Hiring and promotion decisions

X Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 9 & 10; SOP IV. O 03-0012; Hiring Screening Questionnaire; Background verification form showing criminal histories being run; PREA Sexual Assault/Sexual Misconduct Acknowledgment form and interview with staff person responsible for running criminal histories and review of background histories I find they exceed this standard.

Terrell County Correctional Institution does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor who may have contact with inmates, who has engaged in sexual abuse in any criminal justice facility, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. Based on interview with staff member responsible for processing new hires all applicants have a back ground check done prior to job offer, if any sexual activity is discovered during the back ground screen they would not be offered a job. The Warden confirmed he would not offer a job to anyone who has had an alleged sexual assault/sexual harassment case.

Terrell County Correctional Institution considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.

Terrell County Correctional Institution performs a criminal background records check before enlisting the services of any contractor who may have contact with inmates and performs a records check annually of all current employees and contractors who may have contact with inmates.

Terrell County CI utilizes GDC S.O.P. 208.06 to comply with this standard as part of the interview process all potential employees or service providers are questioned in regards to prior histories that may involve PREA related concerns/issues prior to any hire approval to provide services. All those persons' selected for employment or to provide services to Terrell County CI shall consent in writing (Form SOPUA21-000 IATT1) to a Criminal Background check being conducted prior to official hire. If it is found that potential employee or contractor has been found to be in violation of standards set forth in PREA the individual is not eligible for hire at Terrell County CI. If the PREA violation occurs during the time of employment at Terrell County CI the employee will be subject to termination and prosecution. All Data will be made available for review by other potential employers.

Based on annual background checks on all staff I find they exceed in this standard.

§115.18

Upgrades to facilities and technology

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 10 & 11 and interview with warden as well as inspection of camera placements and visibility during the tour I find they meet this standard.

Terrell County Correctional Institution currently utilizes 5 cameras that are used to prevent sexual abuse and investigate allegations of wrongdoing. When installing new equipment, the Warden, Deputy Warden, Lieutenant of Security, and facility SART will ensure it is used to protect inmates from sexual abuse.

§115.21

Evidence protocol and forensic medical exams

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP 11 &12, Procedure for SANE nurse; MOU with Lily Pad SANE Center and interview with SANE/SAFE staff and PREA compliance manager I find they meet this standard.

To the extent Terrell County Correctional Institution is responsible for investigating allegations of sexual abuse; Terrell County Correctional Institution follows the LOP which identifies a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.

Terrell County Correctional Institution offers all victims of sexual abuse access to forensic medical examinations, at an outside facility, without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Nurse Examiners (SANEs). Terrell County C.I. has an MOU with The Lily Pad Sane-Advocate Crisis Center to provide SANE nurse care in the event of a PREA sexual assault or abuse event. The Lily Pad has a 24 hours staffed hot line, Terrell County C.I. shall document its' efforts to provide SANEs.

Terrell C.I. utilizes the services of an onsite victim advocate and/or the services of a victim advocate at the Lily Pad in Albany Ga. as necessary for its inmate victims. Inmates may also request to see a community based rape crisis center advocate if preferred. Contact information for Rape Crisis & Sexual Assault Services is provided to inmates upon orientation.

As requested by the victim, a victim advocate accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals. Terrell County C.I. utilizes a victim advocate from Lily Pad or the Deputy Warden of Care and Treatment has also received victim advocate training, for support through this process. The inmate has the option to choose which victim advocate they want.

Terrell County C.I.'s PREA Manager, Warden and SART team shall conduct the initial PREA investigations to determine if the allegations are substantiated or unsubstantiated. If found to be substantiated the investigation will be turned over to the Internal Affairs Department of the Department of Corrections and the Terrell County Sheriff 's Office for further investigation.

Terrell County C.I. utilizes investigators from the Georgia Department of Corrections Internal Investigations Unit who have been trained in this type of investigation and Terrell County District Attorney Office- Investigators.

§115.22

Policies to ensure referrals of allegations for investigations

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 12 and interview with Warden and investigator I find they meet this standard.

Terrell County Correctional Institution ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. Terrell County C.I. follows the standards set forth by the Georgia Department of Corrections in policy number 208.06. The Department's response to sexual assault follows "A National Protocol for Sexual Assault Medical Forensic Examinations for Adults/Adolescents." When an incident is reported, a physical examination of the alleged victim is conducted and SANE protocol is initiated. Terrell County C.I. has an MOU with THE Lily Pad SANE Center, 229-435-0074 (24 hrs. Hot Line) to provide SANE nurse care in the event of a PREA sexual assault event. The Warden will immediately ensure an investigation is referred to the GDC Internal Investigations Unit. Referrals to outside law enforcement agencies will be made with the cooperation of the Internal Investigations Unit.

Terrell County Correctional Institution has a policy that ensures allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. Terrell County Correctional Institution publishes such policy on its website www.terrellcounty.ga.us . Terrell County Correctional Institution documents all such referrals.

§115.31

Employee training

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 13-16; In Service Sign In Sheet Non-Security; In Service Sign in Sheet Security; NIC Certificate PREA: Your Role Responding to Sexual Assault; Staff Guide on

the Prevention & Reporting Sexual Misconduct with Offenders; Sexual Assault/Sexual Misconduct Acknowledgement Statement; SART team training Sign In; PowerPoint and lesson plan also based on interview with random staff I find they meet this standard.

Terrell County Correctional Institution trains all employees who have contact with inmates on:

- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Inmates' right to be free from sexual abuse and sexual harassment;
- (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in confinement;
- (6) The common reactions of sexual abuse and sexual harassment victims;
- (7) How to detect and respond to signs of threatened and actual sexual abuse;
- (8) How to avoid inappropriate relationships with inmates;
- (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. Terrell County C.I. trains all employees who may have contact with inmates. Terrell County C.I. employees are trained by Terrell County C.I. Certified Training staff regarding PREA. All staff document their training by signing "Sexual Assault/Sexual Misconduct Acknowledgement Statement." This form is retained in the employee's personnel record and the PREA Files. This procedure is also used for all employees, contractors, volunteers, and interns.

The training is tailored to the gender of the inmates at Terrell County Correctional Institution. The employees receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa. Staff receives training based on the population of Terrell County Correctional Institution they are assigned to.

§115.32

Volunteer and contractors training

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 16; Sign In Sheet; Acknowledgement Statement for Supervised visitors; Power Point; Lesson plan and interview with volunteer and contractors I find they exceed this standard.

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

All contractors, volunteers and non-employees that have contact with inmates receive information regarding the institutional policy, prohibited conduct, prevention, detection, response and reporting of sexual misconduct prior to assuming responsibilities.

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

Terrell County CI has also provided information to all areas around the county where work details are assigned without an officer. Warden McClung conducts unannounced PREA checks of all areas in the facility and maintains documentation of these checks in a log book he maintains in his truck. PREA posters have also been posted in those work areas around the county. The Deputy Warden of Care and Treatment also provides PREA training to vendors that have access to the facility i.e. exterminator.

Terrell County Correctional Institution has documentation confirming that volunteers and contractors understand the training they have received. All volunteers sign an Acknowledgement Statement for Supervised visitors. Volunteers and contractors interviewed confirmed they had received this training.

Based on the level of training provided to all agencies in the county I find they exceed in this standard.

§115.33

Inmate education

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 16 & 17; PREA Orientation Sign in form; video "What You Need to Know"; PREA Orientation form; PREA Pamphlet English/Spanish; Language Line and interview with random inmates and intake staff I find they exceed this standard.

During the intake process, inmates receive information explaining Terrell County Correctional Institution's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. During the intake process all inmates receive the PREA pamphlet and watch the video. This was confirmed during inmate interviews.

Immediately upon arrival Terrell County Correctional Institution provides a comprehensive education to inmates either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.

Deputy Warden of Care and Treatment conducts training once a week with all inmates. The inmates have formed a study group where they meet and discuss PREA.

Terrell County Correctional Institution provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. There is documentation of inmate participation in these education sessions. The PREA Pamphlet is in both English/Spanish; Terrell County Correctional Institution has a contract with the Language Line to provide translation for other languages as well as sign language for the deaf.

§115.34

Specialized training: Investigators

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 17; Training records SART Training; Lesson Plan; Power Point; PREA Compliance Manager Training; NIC certificate Your Role Responding to Sexual Abuse and interview with investigative staff.

In addition to the general training provided to all employees Terrell County Correctional Institution ensures that the in house investigators have received training in conducting investigations in confinement settings. Any initial PREA investigations would be conducted by Terrell County C.I.'s certified PREA coordinator or Warden. If incident or allegations are found to be substantiated then the investigation would be turned over to the Internal Affairs section of the Department Of Corrections and the Terrell County Sheriff's Office for further investigation and or prosecution.

Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution

referral. Terrell County Correctional Institution maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. All designated Terrell County C.I. personnel that are tasked with conducting investigations or acting in any capacity with a PREA investigation team are required to attend a specialized PREA training class using the NIC Specialized Training PREA Investigations, Medical and MH Standards curriculum. At the conclusion of the class members are given a written exam to ensure their understanding of the class instruction and content delivered. Class attendance is documented locally by the PREA Coordinator or Compliance Manger. All allegations of sexual misconduct are reported to the GDC Internal Investigations Unit. Staff of that unit have received specialized training regarding the techniques for investigating PREA-related issues.

§115.35

Specialized training: Medical and mental health care

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 17 and Power Point; Sexual Assault/Sexual Misconduct Acknowledgment Statement; NIC Your Role Responding to Sexual Assault, I find they meet this standard.

Terrell County Correctional Institution ensures that the one full-time medical health care practitioners who work regularly in the facility has been trained in how to: detect and assess signs of sexual abuse and sexual harassment; preserve physical evidence of sexual abuse; respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. Terrell County C.I. Medical staff must attend specialized PREA training, using the NIC Specialized Training PREA Medical and MH Standards curriculum. Terrell County C.I. follows medical policies and standards set by the Georgia Department of Corrections.

Terrell County Correctional Institution maintains documentation that medical health practitioners have received the training. Terrell County C.I. medical staff does not conduct forensic examinations. Terrell County C.I. is developing a MOU or contract with The Lily Pad to provide SANE nurse care without financial cost to the inmates.

Medical health care practitioners also receive the training mandated for employees, contractors and volunteers. All medical and mental health practitioners receive the same PREA training for regular staff. This was confirmed during the interviews.

Terrell County CI does not have mental health treatment or counseling staff to provide mental health services. In the event of mental health evaluation and/or treatment is required the inmate will be transferred to the Autry State Prison. In case a county inmate needs mental health treatment they will be transported to Aspriddy, LCSW in Albany Georgia to be mentally evaluated at no financial cost to the victim

X Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 18-20; Sexual Victim/Sexual Aggressor Classification Screening; Victim/Aggressor Classification rating and on interview with random inmates and intake staff responsible for screening I find they exceed this standard.

All inmates are assessed during an intake screening and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. During the diagnostic/intake process, inmates are identified as high-risk sexual assault victims or aggressors. This identification process is documented in the Victim/Aggressor classification section of SCRIBE.

Intake screening shall ordinarily take place immediately upon arrival at Terrell County Correctional Institution. Terrell County C.I. SART Team Leader or PREA counselor conducts the intake screening.

Terrell County Correctional Institution uses an objective screening instrument.

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

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

The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Terrell County Correctional Institution, in assessing inmates for risk of being sexually abusive.

Within 30 days from the inmate's arrival at Terrell County Correctional Institution, Terrell County Correctional Institution reassesses the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Terrell County Correctional Institution since the intake screening. Terrell County C.I. SART Team Leader or PREA Counselor conducts a follow up assessment of all identified PREA inmates usually after 14 days but not to exceed 30 days of intake.

An inmate's risk level is reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. Terrell County C.I. SART Team Leader or PREA Counselor conducts a reassessment of identified PREA victim as necessary and as directed by receipt of any new information.

Inmates are not disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked. Terrell County C.I. staff is made aware, through PREA training, that inmates have the right to refuse to cooperate with an investigation and that no disciplinary actions may be taken against inmates for refusal.

Terrell County Correctional Institution implements appropriate controls on the dissemination within Terrell County Correctional Institution of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

Based on screening being performed immediately upon arrival I find they exceed in this standard.

§115.42	Use of screening information
---------	-------------------------------------

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 20-21; PREA Sexual Victim/ Sexual Aggressor classification screening and interview with PREA compliance manager and staff responsible for risk screening I find they meet this standard.

Terrell County Correctional Institution uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. PREA inmates are identified and information is verified prior to their arrival and

during the intake process. Terrell County C.I. policy establishes that PREA inmates identified as potential victims, potential aggressors and inmates identified as both potential victim and potential aggressor are housed in dorms. However, staff has been trained to monitor such behavior where there is either an identified potential victim or potential aggressor. All other considerations pertaining to work, education, and programming needs are based upon individual needs and assessments and in compliance with the PREA standards and policies set forth.

Terrell County Correctional Institution makes individualized determinations about how to ensure the safety of each inmate.

Terrell County CI has not had a transgender/intersex offender however there are policies in place to address the following:

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

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

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

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

Terrell County Correctional Institution does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.

§115.43

Protective custody

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 22; PREA Sexual Victim/Sexual Aggressor Classification Screening and interview with warden I find they meet this standard.

Terrell County C.I.'s policy prohibits placement of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available alternative means of separation from likely abusers.

Terrell County C.I. has an alternate trusty status dorm#4. Dorm #4 is located on the side of the control station in plain view of the officer, in which any inmates which seem to be possible high risk status are placed for observation. Terrell County Correctional Institution segregation unit would be used in the event of reported, perceived or actual treats to any inmate in or out of the high risk category. All inmates placed in either the Dorm four monitored dorm or in involuntary segregation due to high PREA risk per assessed, suspected or documented PREA threat need shall have access to programs, privileges, education and work opportunities to the extent possible as general population inmates.

Should any inmate need involuntary segregation due to high risk status or perceived threats those inmates' housing assignment shall be reviewed every 30 days to determine whether there is a continuing need for separation from the general population.

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

Terrell County Correctional Institution assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. If involuntary segregated housing assignment is made Terrell County Correctional Institution clearly documents the basis for Terrell County Correctional Institution's concern for the inmate's safety; and the reason why no alternative means of separation can be arranged. Every 30 days a review is performed to determine whether there is a continuing need for separation from the general population.

§115.51

Inmate reporting

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

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

Based on review of LOP pg. 22-23; PREA Hotline poster; Inmate Handbook; PREA Pamphlet and interviews with random staff and inmates I find they meet this standard.

Terrell County Correctional Institution provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Terrell County C.I. inmates may make a report of sexual abuse, sexual harassment, or retaliation in writing, verbally, or by utilizing the PREA hotline *733, and by phone 478-992-5358 or mail to the Department Ombudsman office, P.O. Box 1529 Forsyth, GA 31029 and Pardons and Paroles Director of Victims Services 2 MLK Jr. Dr., Suite 458 East Tower Atlanta, GA 30334. Inmates are encouraged to report allegations immediately and directly to staff at all levels. All reports are promptly documented and reported to the proper authority.

Terrell County Correctional Institution provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Terrell County Correctional Institution, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Terrell County C.I. provides inmates at orientation with information on PREA and an inmate handbook which list PREA reporting contact information. In addition to that inmates have posted notices on message boards located in their dorms, medical, dining room and beside all Inmates Telephones also.

Terrell County C.I. staff has been trained to forward all reports or observations of sexual assault/harassment to their immediate supervisor and/or designated SART member promptly. These reports may be made in writing, verbally, anonymously, or from third parties.

Terrell County Correctional Institution provides a method for staff to privately report sexual abuse and sexual harassment of inmates. Terrell County C.I. staff has been trained to treat all allegations of sexual misconduct as confidential. Therefore, when allegations are reported up the chain of command, they are kept private and are only forwarded to the warden. The Warden then determines who else needs to be notified. Typically, only SART, PREA Coordinator, and GDC Coordinator and Internal Affairs Investigations will be informed.

§115.52	Exhaustion of administrative remedies
---------	--

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

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

Based on review of LOP 23-26 I find they meet this standard.

No inmate has written a PREA related grievance however there are policies in place that address the following:

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

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

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

Terrell County Correctional Institution issues a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.

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

Terrell County Correctional Institution has established procedures for the filing of an emergency grievance when the inmate is subject to a substantial risk of imminent sexual abuse.

After receiving an emergency grievance alleging a substantial risk of imminent sexual abuse, Terrell County Correctional Institution immediately forwards the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action is taken, and provides an initial response within 48 hours, and issues a final agency decision within 5 calendar days. The initial response and final agency decision documents Terrell County Correctional Institution's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

Terrell County Correctional Institution may discipline an inmate for filing a grievance related to alleged sexual abuse only where Terrell County Correctional Institution demonstrates that the inmate filed the grievance in bad faith.

§115.53

Inmate access to outside confidential support services

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 26-27; Lily Pad SANE Center and Language Line contract as well as interview with random inmates I find they meet this standard.

Terrell County Correctional Institution provides inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations. Terrell County Correctional Institution enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. Terrell County Correctional Institution inmates will be notified of the Lily Pad Inc., during Orientation. The staff provides the contact information for a rape victim advocacy and service agency located in the community. This information is also available to them upon request. An inmate may make a verbal or written request to staff to contact a victim service advocate or agency at any time. All reasonable measures will be taken to allow for as much privacy as possible.

Terrell County Correctional Institution informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. If inmates of Terrell County Correctional Institution request to contact a rape crisis organization staff will make every effort to offer the resident reasonable privacy while maintaining visual security if located in restricted or sensitive areas within Terrell County Correctional Institution.

Terrell County Correctional Institution maintains a memoranda of understanding with Lily Pad SANE Center.

§115.54

Third party reporting

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 27; PREA Pamphlet and Inmate Handbook I find they meet this standard.

All staff members are trained in In-service training regarding PREA standards and are aware that they are required to accept any and all third party reports made to Terrell County CI on behalf of an inmate involving sexual assault or harassment. These reports will be accepted and forwarded as policy and procedures have outlined. During orientation inmate are made aware that they can report any PREA allegation, even third party allegations, to staff or by utilizing the

PREA hotline. PREA hotline posters are displayed throughout Terrell County Correctional Institution.

§115.61 Staff and agency reporting duties

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on review of LOP pg. 27-28; Staff Guide on the Prevention & Reporting of Sexual Misconduct with Offenders and interviews with random staff; warden and medical/mental health staff.

Terrell County Correctional Institution requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of Terrell County Correctional Institution; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. All personnel at Terrell County Correctional Institution are provided with PREA training that instructs them on the proper procedure for reporting any incidents that are in any way related to PREA.

Apart from reporting to designated supervisors or officials, staff does 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.

Terrell CCI staff are instructed through PREA training that any information obtained is limited to a need-to-know basis for staff for the purpose of treatment, security and management decision such as housing, work, education and programing assignments. Information is not to be indiscriminately discussed, Supervisors will always remind staff of this issue when staff report PREA-related issues to their supervisors.

Terrell CCI does not currently house inmates under the age of 18; however, Terrell CCI follows all state and Federal PREA policies and will comply with this standard in the event inmates under the age of 18 or inmates considered vulnerable are involved in a PREA- related issue.

Terrell County Correctional Institution reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to Terrell County Correctional Institution's designated investigators. All allegations of sexual abuse and sexual harassment, including third party and anonymous reports, will be reported to the Warden.

§115.62 Agency protection duties

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 28 and interviews with random staff and warden I find they meet this standard.

Immediate action is taken to protect inmates when Terrell County Correctional Institution learns that an inmate is subject to a substantial risk of imminent sexual abuse. If an inmate at Terrell CCI is determined to be in imminent danger of sexual abuse, the warden will be notified immediately and the inmate will be housed in Administrative Segregation immediately in order to protect them. If an inmate seems to be a possible target for victimization but no issues upon arrival and classification inmate will be housed in the Safe dorm #4, for further observation.

§115.63 Reporting to other confinement facilities

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 28 and interview with warden I find they meet this standard.

Terrell has not received any such reports. In cases where an inmate of the Terrell CCI is sexually abused while confined at another facility the PREA Compliance Manager will immediately notify the head of Terrell County Correctional Institution, Terrell County CI SART, the GDC PREA Coordinator, and GDC Internal Investigators.

§115.64 Staff first responder duties

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 29; Institutional Plan; PREA SART team lists and interview with security staff who are first responders and random staff I find they meet this standard.

Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond separates the alleged victim and abuser; preserves and protects any crime scene until appropriate steps can be taken to collect any evidence; and if the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and if the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Terrell County Correctional Institution has an Institutional Plan outlining the steps to take as a first responder.

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

§115.65 Coordinated response

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 30; Institutional Plan and interview with warden I find they meet this standard.

Terrell County Correctional Institution has a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Not applicable standard

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

Based on interview with Warden Terrell County CI does not participate in collective bargaining.

§115.67 Agency protection against retaliation

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

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

Based on review of LOP pg. 32; Monthly report and interview with warden and designated staff member with monitoring retaliation I find they meet this standard.

The Deputy Warden of Security has been assigned as the Retaliation Monitor.

Terrell County Correctional Institution has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and designate which staff members or departments are charged with monitoring retaliation. Anyone who retaliates against a staff member or an offender who has reported in good faith an allegation of sexual abuse or sexual harassment in good faith shall be subject to disciplinary action.

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

Terrell County Correctional Institution's Deputy Warden of Security who monitors retaliation shall, for at least 90 days following a report of abuse, monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are any changes that may suggest possible retaliation, and will act promptly to remedy any such retaliation. This monitoring will include review of any inmate disciplinary reports, housing or program changes, or negative performance reviews or reassignments of staff. Such monitoring shall continue beyond 90 days if the initial monitoring indicates a continuing need.

If any other individual who cooperates with an investigation expresses a fear of retaliation, Terrell County Correctional Institution takes appropriate measures to protect that individual against retaliation.

§115.68 Post allegation protective custody

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 33 and interview with warden I find they meet this standard.

Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse receives all the same rights and privileges as general population inmates. If further segregation is required for a state inmate they are transferred to Lee State Prison where there is an MOU between Terrell County CI and Lee State Prison.

§115.71	Criminal and administrative agency investigation
----------------	---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 34-36; SOP IK01-0006 Investigation of Allegations of Sexual Abuse/Harassment and interview with investigative staff I find they meet this standard.

When Terrell County Correctional Institution conducts its own investigations into allegations of sexual abuse and sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. All initial abuse and harassment allegation investigations will be conducted by Terrell County C.I. Sexual Abuse Response Team (SART) which shall include the Warden, PREA Coordinator, PREA Manager, Medical and a member of security. The SART team shall investigate the PREA claim and determine if the incident is substantiated or unsubstantiated. Substantiated SART investigations will immediately be referred to the Georgia Department of Corrections Internal Affairs Criminal Investigations Division and Terrell County Sheriff's Office for further investigation. Unsubstantiated SART investigations shall be referred to the Office of Professional Standards for an administrative review.

Where sexual abuse is alleged, Terrell County Correctional Institution uses investigators who have received special training in sexual abuse investigations. All SART team members are required to attend additional PREA training.

Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. Terrell County Correctional Institution follows

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

When the quality of evidence appears to support criminal prosecution, Terrell County Correctional Institution conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. Terrell County Correctional Institution complies with this standard by following policies and procedures as outlined in LOP and the case will be turned over to Georgia Department of Corrections and/or Internal Affairs.

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

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

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

Substantiated allegations of conduct that appears to be criminal are referred for prosecution by the Georgia Department of Corrections and/or Internal Affairs.

Terrell County Correctional Institution retains all written reports for as long as the alleged abuser is incarcerated or employed by Terrell County Correctional Institution, plus five years. Terrell County Correctional Institution complies with this standard by following policies and procedures as outlined in LOP in regard to PREA Investigations concerning criminal prosecutions.

The departure of the alleged abuser or victim from the employment or control of Terrell County Correctional Institution or agency does not provide a basis for terminating an investigation. The Investigation will continue until such time as a ruling has been made.

§115.72

Evidentiary standard for administrative investigation

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 36; SOP IK01-0006 Investigations of Allegations of Sexual Abuse & Harassment and interview with investigative staff I find they meet this standard.

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

§115.73 Reporting to inmates

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 37 & 38; Sexual Abuse Allegation Notification Letter and interview with warden and investigative staff I find they meet this standard.

Terrell County Correctional Institution has not had any reported cases of sexual assault/harassment.

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

If Terrell County Correctional Institution did not conduct the investigation, it requests the relevant information from the investigative agency in order to inform the inmate. Terrell County

Correctional Institution will obtain a copy of the investigation document and make proper notification to the inmate as defined by policy.

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, Terrell County Correctional Institution subsequently informs the inmate (unless Terrell County Correctional Institution has determined that the allegation is unfounded) whenever the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at Terrell County Correctional Institution; Terrell County Correctional Institution learns that the staff member has been indicted on a charge related to sexual abuse within Terrell County Correctional Institution; or Terrell County Correctional Institution learns that the staff member has been convicted on a charge related to sexual abuse within Terrell County Correctional Institution. Terrell County Correctional Institution will comply with this directive by following Local Operational Policy which states, "Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, and upon completion of the Internal Investigation, an assessment of the appropriateness of notification will be made by the Appointing Authority in consultation with Department's Legal Office. If determined that notification is appropriate, it will be made in accordance with 28 CFR § 115.73."

Following an inmate's allegation that they had been sexually abused by another inmate, Terrell County Correctional Institution subsequently informs the alleged victim whenever Terrell County Correctional Institution learns that the alleged abuser has been indicted on a charge related to sexual abuse within Terrell County Correctional Institution; or Terrell County Correctional Institution learns that the alleged abuser has been convicted on a charge related to sexual abuse within Terrell County Correctional Institution. Terrell County Correctional Institution adheres to the policy defined above as provided for in Local Operational Policy.

All such notifications or attempted notifications are documented.

An agency's obligation to report under this standard is terminated if the inmate is released from Terrell County Correctional Institution's custody. Terrell County Correctional Institution adheres to this standard by following Local Operational Policy, "Terrell County Correctional Institution shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This will be completed by a member of the local SART unless the appointing authority delegates to another designee under certain circumstances. Such notifications or attempted notifications shall be documented. A facility's obligation to report under this standard shall terminate if the inmate is released from Terrell County Correctional Institution's custody."

§115.76	Disciplinary sanctions for staff
----------------	---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 38 and O.C.G. 16-6-5.1

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

Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

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. Staff members who are found to have engaged in sexual misconduct/abuse shall be banned from correctional institutions or subject to disciplinary sanctions up to and including termination. Staff may also be referred for criminal prosecution.

Contractors and Volunteer who engage in sexual abuse will be prohibited from contact with inmates and reported to law enforcement agencies, unless the activity was not criminal. Appropriate licensing agencies and/or the Georgia Peace Officer Standards.

§115.77	Corrective action for contractors and volunteers
----------------	---

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 39 and interview with warden I find they meet this standard.

Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. Terrell County Correctional Institution's staff will immediately remove any contractor or volunteer from Terrell County Correctional Institution if they engage in sexual abuse. The contractor/volunteer will be prohibited from contact with inmates and will report to the Terrell County Sheriff Office.

Terrell County Correctional Institution takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. All Terrell County

Correctional Institution's volunteers and contractors that do not adhere to the PREA standards set forth in LOP are subject to the disciplinary standards as defined by that same policy. Remedial measures may include prohibiting contact with inmates and reporting the incident to the appropriate law enforcement agency.

§115.78 Disciplinary sanctions for inmates

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on LOP pg. 40 and interview with medical/mental health staff I find they meet this standard. No inmate has been disciplined for inmate on inmate sexual abuse.

No inmate has been involved in an inmate on inmate sexual abuse however policies are in place that address the following:

Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Terrell County C.I. will subject inmates to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or a criminal finding of guilt for inmate-on-inmate sexual abuse.

Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. Sanctions will be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.

The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his behavior when determining what type of sanction, if any, should be imposed. LOP requires staff to consider an inmate's mental disability or mental illness during the disciplinary hearing process and when determining appropriate sanctions.

Therapy, counseling or other interventions can be offered to address and correct underlying reasons or motivations for the abuse, Terrell County C.I. will consider whether to offer therapy, counseling, or other interventions to require the offending inmate and whether to require participation in such interventions as a condition of access to programming or other benefits. Terrell County C.I. has a MOU with and refers all inmates seeking community based emotional support services to Lily Pad Prevention and Advocate

Center in Albany Ga. Terrell County C.I disciplines inmates for sexual conduct with staff only upon finding that the staff member did not consent to such contact.

Terrell County Correctional Institution disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. Inmate will be disciplined based on facility Standard of Conduct.

Terrell County C.I. prohibits disciplinary action for a report or 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.

§115.81 Medical and Mental health screening; history of sexual abuse

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 41; MOU with Lily Pad; PREA SART team list and interview with staff responsible for risk screening and medical/mental health staff I find they meet this standard.

If an inmate's intake assessment indicates that he has experienced any prior victimization or has perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, the inmate will be offered a follow-up meeting within 14 days of the intake screening. Documentation of such will be noted on the inmate's intake screening instrument. Any information related to sexual victimization or abusiveness that occurred in an institutional setting will be strictly limited to necessary staff maintaining strict confidentiality.

Terrell County C.I. does not have mental health treatment or counseling staff to provide mental health services. In the event of mental health evaluation or any other mental health needs the inmate will be transferred to the nearest Mental Health prison for state inmates. . In any case of mental health need for Terrell County. Inmates they shall be transported to Aspriddy- LCSW- PC- Licensed Clinical Therapist to be mentally evaluated at no financial cost to the victim and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. If the inmate desires, then the PREA Coordinator will contact them.

§115.82 Access to emergency medical and mental health services

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 41; MOU with Lily Pad and interview with medical and mental health staff I find they meet this standard.

Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. Terrell County C.I. established policy requires that victims of sexual abuse be seen at Phoebe Putney Emergency Room (by means of state transfer van, or by ambulance, to ensure their prompt treatment) for physical injuries during regularly and after scheduled business hours. On site medical staff will not examine or treat Sexual Abuse cases or allegations if further treatment is required, the resident will be transported, by ambulance if necessary, to a higher level of care. The Lily Pad Crisis Center will be notified and meet the inmate at the Emergency Room. If the victim has no injuries the Lily Pad has a mobile unit that they will bring to Terrell CCI for all Examinations and treatment. The Lily Pad has a 24 hours (staff monitored) Hot Line.

Upon completion of examination or treatment with the Lily Pad the , The Lily Pad Sane Nurse notify Albany Primary Health Care/Phoebe Putney Hospital for any lingering acute or non-acute physical injuries as well as any psychological impact of the victimization. Follow up medications, treatment, testing, etc. will be completed as ordered and inmate will be referred to Albany Primary Health Care by the Lily Pad Sane Nurse. This may include repeat HIV/STD testing and follow-up medication as needed/ordered for HIV/STD. All findings must be documented in the inmate's medical record and strict confidentiality will be maintained at all times.

If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical (Lily PAD) and mental health practitioners Autry State Prison (Aspriddy LLC for County Inmates). Whenever a report is made, Terrell County C.I. staff will move the alleged victim away from the other inmates and immediately notify emergency medical and/or mental health providers. In any case of mental health need for Terrell County C.I. the inmate shall be transported to our facility catchment prison which is the Autry State Prison And or additional for County Inmates (Aspriddy- LCSW-PC- Licensed Clinical Therapist Ann Priddy,) be mentally evaluated at no financial cost to the victim. 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. Terrell County C.I. does not charge inmates for PREA related treatments or services.

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP 42-43 and interview with medical staff.

Terrell County Correctional Institution offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. In any case of mental health need for Terrell County C.I. the inmate shall be transported to our facility catchment prison which is the Autry State Prison And or additional for County Inmates (Aspriddy- LCSW-PC- Licensed Clinical Therapist Ann Priddy,) be mentally evaluated at no financial cost to the victim.

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. Terrell County C.I. established policy requires that victims of sexual abuse be seen at Phoebe Putney Emergency Room (by means of state transfer van, or by ambulance, to ensure their prompt treatment) for physical injuries during regularly and after scheduled business hours. On site medical staff will not examine or treat Sexual Abuse cases or allegations if further treatment is required, the resident will be transported, by ambulance if necessary, to a higher level of care.

Terrell County Correctional Institution provides such victims with medical and mental health services consistent with the community level of care.

Inmate victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Upon completion of examination or treatment with the Lily Pad the , The Lily Pad Sane Nurse notify Albany Primary Health Care/Phoebe Putney Hospital for any lingering acute or non-acute physical injuries as well as any psychological impact of the victimization. Follow up medications, treatment, testing, etc. will be completed as ordered and inmate will be referred to Albany Primary Health Care by the Lily Pad Sane Nurse. This may include repeat HIV/STD testing and follow-up medication as needed/ordered for HIV/STD. All findings must be documented in the inmate's medical record and strict confidentiality will be maintained at all times.

Terrell County Correctional Institution does not charge inmates for PREA related treatments or services.

Terrell County Correctional Institution shall attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

§115.86	Sexual abuse incident reviews
----------------	--------------------------------------

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 44 and interview with warden, PREA compliance manager; incident review team I find they meet this standard.

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

The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at Terrell County Correctional Institution; and they examine the area in Terrell County Correctional Institution where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

§115.87 Data collection

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 45; annual report and Monthly Comstat report.

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

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. No requests have been made.

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

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

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

§115.88 Data review for corrective action

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 46, annual report and interview with Warden and PREA compliance manager.

Terrell County Correctional Institution reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Terrell County Correctional Institution as a whole.

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

Terrell County Correctional Institution's report is approved by Terrell County Correctional Institution head and made readily available to the public through its website www.terrellcounty.ga.us.

§115.89 Data storage, publication and destruction

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

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

Based on review of LOP pg. 47, annual report and interview with Warden and PREA compliance manager.

Terrell County Correctional Institution makes all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website www.terrellcounty.ga.us.

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

AUDITOR CERTIFICATION:

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

Katherine Brown _____

_____ May 5, 2016 _____

Auditor Signature

Date