PREA Facility Audit Report: Final

Name of Facility: South Boston Barracks Lockup
Facility Type: Lockups
Date Interim Report Submitted: NA
Date Final Report Submitted: 06/06/2024

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	☑
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	☑
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	☑
Auditor Full Name as Signed: Jack Fitzgerald	**Date of Signature:** 06/06/2024

AUDITOR INFORMATION	
Auditor name:	Fitzgerald, Jack
Email:	jffitzgerald@snet.net
Start Date of On-Site Audit:	04/25/2024
End Date of On-Site Audit:	04/25/2024

FACILITY INFORMATION	
Facility name:	South Boston Barracks Lockup
Facility physical address:	125 William J Day Boulevard, Boston, Massachusetts - 02125
Facility mailing address:	

Primary Contact

Name:	
Email Address:	
Telephone Number:	

Sheriff/Chief/Director	
Name:	Lieutenant Emad Zakhary
Email Address:	Emas.Zakhary@pol.state.ma.us
Telephone Number:	617-740-7710

Facility PREA Compliance Manager	
Name:	
Email Address:	
Telephone Number:	

Facility Characteristics	
Designed facility capacity:	7
Current population of facility:	0
Average daily population for the past 12 months:	1
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	18+
Facility security levels/detainee custody levels:	Secure
Does the facility hold juveniles or youthful detainees?	No
Number of staff currently employed at the facility who may have contact with	[redacted]

detainees:	
Number of individual contractors who have contact with detainees, currently authorized to enter the facility:	0
Number of volunteers who have contact with detainees, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	Massachusetts State Police
Governing authority or parent agency (if applicable):	Executive Office of Public Safety and Security
Physical Address:	470 Worcester Road, Framingham, Massachusetts - 01702
Mailing Address:	
Telephone number:	5088202300

Agency Chief Executive Officer Information:	
Name:	John E Mawn Jr.
Email Address:	john.mawn@pol.state.ma.us
Telephone Number:	508-820-2300

Agency-Wide PREA Coordinator Information			
Name:	Eric Benson	**Email Address:**	eric.j.benson@pol.state.ma.us

Facility AUDIT FINDINGS

Summary of Audit Findings

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

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.	
Number of standards exceeded:	
1	• 115.115 - Limits to cross-gender viewing and searches
Number of standards met:	
34	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2024-04-25
2. End date of the onsite portion of the audit:	2024-04-25

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	(●) Yes ( ) No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	The Massachusetts State Police rarely hold individuals for more than a few hours, and if the detainee is placed in a cell, it is always by themselves, making sexual assault of a detainee near impossible. The Auditor reached out to determine access to Hospitals with SANE-trained services. The Auditor also reached out to community-based sexual assault organizations in eastern and central Massachusetts. The Auditor also reviews state and county websites for resources that victims could access. The Auditor also completed internet searches to see if there were new stories about the facility.

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	7
15. Average daily population for the past 12 months:	1
16. Number of inmate/resident/detainee housing units:	1

17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	(●) Yes ( ) No ( ) Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/ residents/detainees in the facility as of the first day of onsite portion of the audit:	0
37. Enter the total number of youthful inmates or youthful/juvenile detainees in the facility as of the first day of the onsite portion of the audit:	0
38. Enter the total number of inmates/ residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/ residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	0
40. Enter the total number of inmates/ residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0

41. Enter the total number of inmates/ residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/ residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	0
43. Enter the total number of inmates/ residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	0
44. Enter the total number of inmates/ residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	0
45. Enter the total number of inmates/ residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	0
46. Enter the total number of inmates/ residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	0
47. Enter the total number of inmates/ residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0

48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	There was no individual at the facility when the auditor arrived during the overnight shift, and no detainees were booked during the shift.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	[redacted]
50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	0
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	0
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	The Auditor interviewed all officers who worked from the barracks on the three shifts on the audit day. The Auditor does not interview guest patrols (Troopers covering part of the troop's district) as they will be interviewed in their own barracks during the audit cycle.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	
53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	0

54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	☐ Age ☐ Race ☐ Ethnicity (e.g., Hispanic, Non-Hispanic) ☐ Length of time in the facility ☐ Housing assignment ☐ Gender ☐ Other ☒ None
If "None," explain:	There were no detainees to interview
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	There were no detainees to interview
56. Were you able to conduct the minimum number of random inmate/ resident/detainee interviews?	○ Yes ◉ No
a. Explain why it was not possible to conduct the minimum number of random inmate/resident/detainee interviews:	There were no detainees to interview
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	0

As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".

59. Enter the total number of interviews conducted with youthful inmates or youthful/juvenile detainees using the "Youthful Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/detainees. ☐ The inmates/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/detainees).	There were no detainees to interview. Individuals under 18 can be booked but will not be placed in a cell. They must be released to a parent guardian or DYS in under 6 hours by law.
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	0

a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.
61. Enter the total number of interviews conducted with inmates/residents/ detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.

62. Enter the total number of interviews conducted with inmates/residents/ detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	☒ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.
63. Enter the total number of interviews conducted with inmates/residents/ detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	☒ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.

64. Enter the total number of interviews conducted with inmates/residents/ detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.
65. Enter the total number of interviews conducted with inmates/residents/ detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.

66. Enter the total number of interviews conducted with inmates/residents/ detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.
67. Enter the total number of interviews conducted with inmates/residents/ detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.

68. Enter the total number of interviews conducted with inmates/residents/ detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/ residents/detainees).	There were no detainees in the barracks.
69. Enter the total number of interviews conducted with inmates/residents/ detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/ detainees in this category:	■ Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. ☐ The inmates/residents/detainees in this targeted category declined to be interviewed.

b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	There were no detainees in the barracks.
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.

Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	[redacted]
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	☑ Length of tenure in the facility ☑ Shift assignment ☑ Work assignment ☑ Rank (or equivalent) ☐ Other (e.g., gender, race, ethnicity, languages spoken) ☐ None
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	◉ Yes ○ No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	The Auditor interviewed all of the staff who worked at the barracks during the course of the day, except one individual dealing with a crash through the end of his shift.

Specialized Staff, Volunteers, and Contractor Interviews	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	[redacted]
76. Were you able to interview the Agency Head?	(●) Yes ( ) No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	(●) Yes ( ) No
78. Were you able to interview the PREA Coordinator?	(●) Yes ( ) No
79. Were you able to interview the PREA Compliance Manager?	( ) Yes ( ) No (●) NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

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

	☐ Other
81. Did you interview VOLUNTEERS who may have contact with inmates/ residents/detainees in this facility?	○ Yes ◉ No
82. Did you interview CONTRACTORS who may have contact with inmates/ residents/detainees in this facility?	○ Yes ◉ No
83. Provide any additional comments regarding selecting or interviewing specialized staff.	The Auditor interviewed the Agency Head's representative, the PREA Coordinator, the Human Resources staff, the Contract administrator, and the Investigator before the site visit as none of these individuals works at the location of the barracks. The Auditor asked all Troopers interviewed about the process for screening and completing PREA education as part of the intake process. This was done as the MSP barracks do not have a dedicated intake unit, or medical or mental health service. Each trooper books his or her own arrests and completes the intake screening and education of detainees. The Trooper is also responsible for making decisions on if an individual is to put in a single-person cell in the same cell block as any other detainee. The auditor asked the related questions for target intake staff and screening staff of all the random staff but did not include those numbers in the figure listed in question 75.

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.

84. Did you have access to all areas of the facility?	(●) Yes ( ) No
Was the site review an active, inquiring process that included the following:	
85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	(●) Yes ( ) No
86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	(●) Yes ( ) No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	( ) Yes (●) No
88. Informal conversations with staff during the site review (encouraged, not required)?	(●) Yes ( ) No

89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	There were no detainees to interview. The Auditor compared the information provided in the posting to the information found on state websites. The phone systems in the booking area are not recorded at the barracks. Detainees, if in custody, would use the same phone that staff use to make calls. The Auditor had informal interactions with Troopers in the barracks and with other MSP law enforcement staff who entered the site during the audit day.

Documentation Sampling

Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.

90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?	(●) Yes ( ) No
91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).	The Auditor reviewed a dozen copies of detainee files while on site. The Auditor was provided with a cross-section of the facility staff to include newer staff hires and individuals who had been employed over the past 5 years.

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	0	0	0

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	0
a. Explain why you were unable to review any sexual abuse investigation files:	There were no allegations of sexual abuse at this barracks

99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	○ Yes ○ No ◉ NA (NA if you were unable to review any sexual abuse investigation files)
Inmate-on-inmate sexual abuse investigation files	
100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	○ Yes ○ No ◉ NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	○ Yes ○ No ◉ NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
Staff-on-inmate sexual abuse investigation files	
103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	○ Yes ○ No ◉ NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)

105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	○ Yes ○ No ◉ NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
Sexual Harassment Investigation Files Selected for Review	
106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	0
a. Explain why you were unable to review any sexual harassment investigation files:	There were no allegations of sexual harassment at this barracks.
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	○ Yes ○ No ◉ NA (NA if you were unable to review any sexual harassment investigation files)
Inmate-on-inmate sexual harassment investigation files	
108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	○ Yes ○ No ◉ NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)

110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	○ Yes ○ No ◉ NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
Staff-on-inmate sexual harassment investigation files	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0
112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?	○ Yes ○ No ◉ NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	○ Yes ○ No ◉ NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.	No text provided.

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.	○ Yes ◉ No

Non-certified Support Staff

116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.	○ Yes ◉ No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?	◉ The audited facility or its parent agency ○ My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option) ○ A third-party auditing entity (e.g., accreditation body, consulting firm) ○ Other

Standards
Auditor Overall Determination Definitions
• Exceeds Standard (Substantially exceeds requirement of standard) • Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period) • Does Not Meet Standard (requires corrective actions)
Auditor Discussion Instructions
Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.111	Zero tolerance of sexual abuse and sexual harassment
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET -07 Detainee Sexual Abuse and Sexual Harassment DET- 07A Detainee Sexual Abuse and Sexual Harassment Investigations Article 1 Regulations for the Governance of the State Police Article 5 Rules of Conduct Article 6 Discipline Procedures and Temporary Relief of Duty Mass State Police Org Chart Individuals interviewed/ observations made.

	Interview with PREA Coordinator Interview with Massachusetts State Police Agency Head Representative PREA Postings Indicator Summary determination. Indicator (a). The Massachusetts State Police has a policy that mandates zero tolerance toward sexual assault or sexual harassment. Policy DET-07 Detainee Sexual Abuse and Sexual Harassment establishes on page 1, “a zero-tolerance policy toward all forms of sexual abuse and sexual harassment toward any detainee.” It further states the legal right to be free from such misconduct. It notifies the reader of the State Police's obligation to protect individuals from retaliation for reporting such incidents. The policy outlines the State Police’s efforts to prevent, detect, and respond to sexual abuse or sexual harassment incidents at South Boston Barracks. DET-07 is one of several policies or orders that mandate zero tolerance toward all forms of sexual abuse and sexual harassment and outline the agency’s approach to preventing, detecting, and responding to such conduct in all department locations. The policies reviewed by the Auditor set forth specific guidelines to support preventing and detecting detainees from sexual misconduct. Policies defined the response to sexual abuse and sexual harassment claims, the investigatory process, and the disciplinary process for those engaging in misconduct. The Auditor also reviewed training bulletins and command orders reinforcing the Prison Rape Elimination Act requirements. Interviews with staff confirm an understanding of the zero-tolerance culture and the individual officer’s role in ensuring this standard. Indicator (b). Massachusetts State Police has an individual assigned to oversee the agency's efforts toward compliance with the Prison Rape Elimination Act (PREA). Policy DET-07 defines the PREA Coordinator's role on page two. The PREA Coordinator is “a management level employee who oversees, develops, and implements Department efforts to comply with the PREA standards.” A Detective Captain is assigned as the agency’s PREA Coordinator. The PREA Coordinator works with the Station Commanders to ensure compliance with the PREA Lockup standards. His role includes tracking incidents, providing support to identified needs, ensuring all investigations are completed consistent with agency expectations, and ensuring staff are trained on PREA, including investigating sexual assault in lockups and monitoring standard requirements. Both the PREA Coordinator and Massachusetts State Police Agency Head representative confirmed the PREA Coordinator’s position provides the ability to develop and implement policies and procedures to ensure further the sexually safe lockup of detainees across the State Police Department. The Auditor reviewed materials, including the agency’s organizational chart, and confirmed the Station Commander’s knowledge of the PREA Coordinator. This further supports the PREA Coordinator’s promotion of

	a Zero Tolerance culture while ensuring compliance with Prison Rape Elimination Act. In the interview with the Detective Captain, he described how information about allegations would be channeled to him and the steps he would take to resolve PREA compliance concerns and promote the zero-tolerance culture. The Auditor could see how concerns raised in the audit process would be resolved through the PREA Coordinator and the individual Station Commanders. The PREA Coordinator has been in his position for under a year. Compliance Determination The information in Policy DET-07 Detainee Sexual Abuse and Sexual Harassment supports Zero Tolerance's expectation of any form of sexual assault or sexual harassment. Interviews with the representative for the Colonel of the Massachusetts State Police and the PREA Coordinator confirm there are sufficient resources in place for preventing, detecting, and responding to any allegation of sexual abuse or sexual harassment. The interview with the Station Commander supported knowledge of communication with the PREA Coordinator if issues arise. The Auditor reviewed the policy, saw materials posted in the facility, and interviewed random staff who understood their roles in preventing, detecting, and responding to sexual abuse or sexual harassment incidents. The Auditor also considered the staff members' knowledge of PREA training and the Zero Tolerance expectation. The Auditor confirmed with the PREA Coordinator the steps taken to ensure compliance. The South Boston Barracks has been able to maintain this expectation, having received no allegations of sexual abuse or sexual harassment in the past year. The Auditor finds that the standard is met based on the factors supporting a zero-tolerance culture. In determining compliance, the Auditor considered the interviews, the policy, and the other supporting documents provided and viewed at the facility. The Auditor, also considered as the state’s lead law enforcement agency, the Massachusetts State Police, has sufficient resources available to complete an investigation into any allegation of sexual misconduct.

115.112	**Contracting with other entities for the confinement of detainees**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Preaudit Questionnaire MOU with six County Jails, Websites of County Sheriff’s facilities

	Individuals interviewed/ observations made. Interview with Contract Manager Indicator Summary determination. Indicator (a). The Massachusetts State Police has entered into agreements with several County Jails to provide mutual aid, including housing Massachusetts State Police detainees awaiting an appearance in a District Court. The Mutual Aid agreement reviewed by the Auditor supports an agreement to hold weekend or overnight admissions for the State Police before their presentation in court. The documents required the facilities to have a zero-tolerance policy and be “compliant with the Prison Rape Elimination Act by the U.S. Department of Justice.” The Auditor reviewed the website of the county jails with whom MOU exists and found the facilities were audited for PREA compliance in the past three years. There are no requirements to contract for Juveniles' housing as Massachusetts laws, as stated in 115.114, require all juveniles to be held in a DYS-approved bed or a regional Juvenile Detention facility. The Massachusetts State Police Deputy Chief Legal Counsel provided updated documentation supporting the agreements are still in force during the audit period. Indicator (b). Each of the MOUs has the Sheriff holding a limited number of individuals for the State Police for no more than three days when presented to a judge who will determine remand or release. If the detainee is remanded, they are no longer the responsibility of the Massachusetts State Police. Each facility has been PREA compliant with audits in the last two years. The respective agency’s website has documentation of their PREA compliance efforts. If there was a criminal sexual abuse allegation at these facilities involving a detainee awaiting presentation in court, the State Police Investigator assigned to the county prosecutor's office would be called. Compliance Determination The Massachusetts State Police has limited-use-bed agreements with local counties to be able to hold detainees awaiting their court appearances. The Station Commander reports that the majority of detainees are held for less than 6 hours, with many making bail. Detainees are brought to court after bookings on weekdays, or if after hours, they will be transported to the county jails, where they are held with other pretrial admissions. The Massachusetts State Police and the county Sheriffs have ensured the agreements include language on PREA compliance. The Auditor confirmed that the institution had completed a successful PREA Audit on the Sheriff’s office websites. Compliance is based on the policy, the MOU language requiring PREA Compliance, and discussions with the Station Commander, PREA Coordinator, and Deputy Chief Legal Counsel. The Auditor also considered the information posted on the various Sheriff’s Office websites supporting PREA zero-tolerance expectations in their respective agencies.

115.113	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire Staffing Plan Staffing plan annual review DET-02 Custodial Inventory DET-06 Detainee Monitoring DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07a Detainee Sexual Abuse and Sexual Harassment Union Contract 17-DFS-03 17-DFS-34 Individuals interviewed/ observations made. Interview with Station Commander Indicator Summary determination. Indicator (a). South Boston Barracks has a staffing plan for its lockup. Policy DET-07 Detainee Sexual Abuse and Sexual Harassment (page 3) states, “Station commanders for each barracks containing cells shall develop and document a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring to protect detainees against abuse.” The document reviewed by the Auditor describes the steps taken to ensure supervision is ongoing through video and audio monitoring of the cell blocks and random tours of the unit at a minimum of once every half hour. South Boston can will not house male and female detainees at the same time. The setup of the physical plant has 7 total cells in one area. The plan addresses the use of cameras, allowing for both video and audio monitoring of the entire lockup, including each cell. Interviews with the Station Commander and the PREA Coordinator confirmed that they considered how cameras are placed to aid detainees' supervision. The staffing plan also takes into consideration the number of allegations in the year. Zero allegations occurred

	during the South Boston Barracks lockup last year. The staffing plan is a two-page document supported by a policy that defines the requirements to be considered. South Boston Barracks has PREA live staff present in the area who can visually monitor detainees in lockup. The plan has been developed at South Boston Barracks in a manner consistent with the Massachusetts State Police policy and in cooperation with the agency's central office administration and the Agency PREA Coordinator. During the audit period, the station has not reportedly undergone any modifications that would impact PREA safety. The Massachusetts State Police invested in technology in the prior three years, as described in 115.118. The Staffing Plan is predicated on the facility's capacity, but the facility reports an average of just over 1 detainee in custody in the past year, with 45 individuals held overnight. The agency also varies staffing on shifts and days of the week with a higher volume of work. The agency requires all detainees in a cell block to be of the same gender and that all detainees be single-celled. The agency also has a contingency to add staffing in the barracks if an inmate needs direct supervision. Indicator (b). There were zero situations in which the lockup supervision numbers were not met in the past year. Since there has been no situation in which the staffing minimums of South Boston Barracks were not met, this indicator is not applicable. The Station Commander reports he is notified of all vacancies through an email report three times daily and describes how the voids are filled. As a statewide entity, the Massachusetts State Police can assign guest troopers from other stations to fill a void or to aid when detainee numbers have increased. Each station is part of a district command structure that can assist in providing additional resources if needed. The Troop Duty Lieutenant is responsible for ensuring sufficient staffing at all barracks in the troop on every shift. Policy DET-07 (page 3) sets forth the expectation that if staffing cannot be met, it is documented as consistent with the standard. "Each time the staffing plan is not complied with, the station commander shall document and justify all deviations from the staffing plan and shall forward the document with justifications to the PREA Coordinator." The Auditor also reviewed the Massachusetts State Police contract with the union, which confirmed the ability to require staff to stay beyond the shift to meet staffing requirements. The minimum staffing requirement is a desk officer in the facility at all times, with the remaining Troopers assigned to monitor the state roads or represent the agency in court. If a detainee needs to be removed from a cell, a second officer is required to be present. Indicator (c). There have been no reported incidents of PREA or other conflicts within the South Boston Barracks in the past year, there was no recommendation to adjust the complement inside the barracks. The Station Commander reports he has received no allegations of sexual misconduct in the past year The Detainees are under constant video surveillance in their cells. Rounds are made at a minimum twice hourly and more frequently if the detainee is identified with risk concerns. The staffing plan was not modified during the last year, and there was documentation of the annual review, which requires the plans to be reviewed by the Massachusetts State Police PREA Coordinator. The Station Commander and the Massachusetts State Police PREA Coordinator understand the annual review process. The PREA

	Coordinator supported plans will be adjusted as needed to resolve any identified recommendations/ concerns from a PREA Incident Investigation. The State Police have developed a process to document the annual review process. The annual review process was discussed in interviews with both the Station Commander and the PREA Coordinator. The State police add additional staff during the day shift hours to ensure appropriate coverage of the facility and their patrol area while being able to present detainee's cases to the county courts. In addition to cameras that look into cells with appropriate privacy for toileting, the State Police have invested in other technology that improves officer safety while also allowing for improved monitoring of individuals in custody, including transportation. The detainee is monitored by body camera systems and cruiser camera systems while in transport and during the booking process. Indicator (d) As noted in Indicator (c), the staffing plan accounts for protecting vulnerable detainees. Interviews with the South Boston Station Commander and Troopers confirmed the steps taken to protect vulnerable adults who may require direct supervision or a referral to the hospital if their symptoms include any concerns around suicidality. Officers were able to describe steps taken to keep detainees safe. The measures include sight and sound separation of all juveniles entering the booking area from contact with adults, ensuring males and females are never in the same cell block. All detainees are secured in single cells under video surveillance. The officers interviewed support emotionally vulnerable detainees, who will be provided additional supervision, can be assessed through mobile crisis, taken to the hospital, or if the other detainee exacerbated the situation, they would consider moving one of the individuals to another station. All cells at South Boston Barracks are single cells and allow for remote observation. The number of single-use cells at South Boston Barracks supports keeping vulnerable individuals away from verbally aggressive ones. Troopers confirmed they might leave the individual on the booking bench under their direct supervision until a plan can be made to ensure the detainee’s safety if there is a concern about verbal escalation. South Boston is large enough to put an aggressor far enough apart from any potential verbal disagreements. The Troop Management system allows for movement to other nearby barracks if a vulnerable detainee cannot be released, presented in court on the given day, or moved to a county facility. The Auditor asked Troopers a situational question about handling potentially aggressive vs. potentially vulnerable individuals. All Troopers reported steps to keep these groups apart, understanding that though sexual abuse is not likely the way individuals are housed, sexual harassment is possible. The Auditor also reviewed Divisional Command Orders, which speak to protecting individuals from imminent risk or retaliation. Compliance Determination South Boston Barracks is compliant with the supervision and monitoring indicators of detainees in the facility. The Massachusetts State Police policy describes the content requirements consistent with the federal standard language in indicator (a). Interview with the Station Commander and the PREA Coordinator confirmed an understanding of the development and annual review process, including the requirements of indicators (a) and (c). Interviews with random staff confirm a

	practice of identifying individuals who may be vulnerable in a lockup setting and a plan to ensure their safety. The facility procedures do not put more than one individual in a cell and do not allow more than one detainee out of their cells at a time, further limiting any potential physical contact. The facility has had no allegations of sexual abuse or harassment in the past year, and the staffing pattern has always been met. Compliance determination was based on the written plans, observations, interviews with administration and line staff, and the other stated supporting documentation.

115.114	**Juveniles and youthful detainees**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire INV-05 Special Protections for Juveniles DET 07 Detainee Sexual Abuse and Sexual Harassment DET 07A Detainee Sexual Abuse and Sexual Harassment DET-09 Juvenile Operations Massachusetts General Laws 39H Individuals interviewed/ observations made. Interview with Troopers Interview with Station Commander. Posting in the Booking area about Juvenile processing Indicator Summary determination. Indicator (a). The Massachusetts State Police can arrest and detain juvenile offenders but will not place them in a cell or hold for more than 6 hours. Policy INV-05 defines the interactions of Troopers and juveniles based on age and with a commitment to protect the juvenile’s rights. The policy sets forth that juveniles and adult detainees must be separated. The policy also states that if the child is not released, they should be placed in an appropriate Department of Youth Services

	facility or a Regional Juvenile Detention Facility. Policy DET-09 also instructs staff on the handling of Juvenile cases. On page 3, it states, “A juvenile who has not yet attained his or her fourteenth (14) birthday shall not be placed in secured detention for any amount of time. No juvenile between fourteen (14) and eighteen (18) years of age shall be placed in a cell unless the cell has been certified by the Department of Youth Services (DYS). A juvenile who is securely detained in Department custody must be separated by sight and sound from adults in custody.” The Massachusetts State Police Policy DET-09 provides a step-by-step guide on how to handle encounters with all juveniles depending on factors including age, the current offense if they are status offenders, if the youth is a child at risk, and if there is no guardian to release the youth to. The South Boston Barracks does not have a DYS-approved cell for temporary use and the agency has determined they will not use them. Instead, they will monitor the individual outside a cell until the youth is turned over to a guardian or the DYS. The Station Commander confirmed they would try to release Juveniles to their parents when possible. In interviews, the random Troopers and facility leadership confirmed that putting juveniles in holding cells is not allowed. The Troopers spoke with knew the need to keep juvenile detainees away from adult detainees. The Auditor learned that most juveniles they have contact with are released directly to the parent or guardian. The station commander confirmed that officers are trying to limit a juvenile's time in the barracks. The Auditor finds that the indicator does not apply based on policy language in DET-09, the stated practices at South Boston Barracks, and the methods in place to ensure there is no contact between the adult and juvenile detainees. Posting in the booking area spells out steps for handling juvenile cases. Compliance Determination The Auditor finds the standard is compliant. The Massachusetts State Police have several policies that define the handling of juveniles in a way that is consistent with the standard. The South Boston Barracks does not hold Juveniles in the Lock-up Area. The Troopers spoke with consistently reported that juveniles are not to be placed in a holding cell, and the officers were all aware of the need to keep sight and sound separation between adult and juvenile detainees during times in the station. The Station Commander described options to ensure juveniles and adults do not cross paths in booking, including using other Barracks to book adults if there is a juvenile in the booking area. The agency has invested in many electronic systems in place to be able to safely manage the juveniles from the int they were taken in custody until their release to the parent, the court, or DYS. The agency takes steps to limit juvenile contact to as long as needed to effectuate release to a parent or another suitable custodial situation for the juvenile. In addition to the interviews and documentation provided, the Auditor reviewed the corresponding state laws on the legislative website, further supporting compliance with the standard.

115.115	**Limits to cross-gender viewing and searches**

	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-02 Custodial Inventory 17-DSF-003 PREA 17-DSF-034 PREA 2017 Training Bulletin on Transgender Searches DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07a Detainee Sexual Abuse and Sexual Harassment DET-06 Detainee Monitoring DET-08 Gender Identity and Expression Individuals interviewed/ observations made. Interviews with random staff Interview with Station Commander Indicator Summary determination. Indicator (a). The Massachusetts State Police does not perform strip searches as part of their routine booking process. South Boston Barracks does not conduct any cross-gender strip unless there is an exigent circumstance. The policy prohibits these searches from being done by a gender other than the detainee. Random staff reported an exigent circumstance, which would be if there was probable cause of a weapon or drugs on the person. They confirmed that determining an individual's genital status was not an appropriate reason to complete a strip search. MA State Police policy DET-02 states, "Strip searches shall only be conducted: · With the approval of a supervisor, unless exigent circumstances exist; · Whenever practicable, by two (2) members of the same gender identification as the detainee. If the detainee is an Intersex Individual or Gender Non-Conforming Male or Gender Non-Conforming Female, refer to DET-08 Gender Identity and Expression; · In an area that affords complete privacy (strip searches shall not be conducted

	outside of a Department facility unless exigent circumstances exist); · Out of the public view (including video cameras, windows, etc.); · Without any touching of the detainee (although the detainee may be asked to bend at the waist and spread their buttocks); · In a reasonable, non-abusive, and professional manner; and · Only for the duration necessary to complete the search." Similarly, the policy goes on to address expectations for body cavity searches. "A body cavity search is: · A search conducted pursuant to a warrant, issued by a judge, that is based on a strong showing of particularized need supported by a high degree of probable cause; that · Authorizes a medical professional to conduct an internal manual inspection of any human body cavity. A member or supervisor seeking such a warrant must: · Show a high degree of probable cause that the detainee has contraband or weapons hidden in a body cavity that may jeopardize the health and safety of the detainee and/or anyone with whom the detainee may come in contact. Body cavity searches shall only be performed: · By a medical practitioner in appropriate medical surroundings; and · Pursuant to a search warrant issued by a judge that authorizes a body cavity search. The policy requiring strip or body cavity searches has to be approved by a Supervisor. By requiring this the State Police ensures the situation is exigent. No officer interviewed reported completion of a strip search of any detainee in the past three years, including any cross-gender strip or body cavity searches. Indicator (b). As stated in indicator (a), the State police require officers completing a strip search to be of the same gender as the detainee. Random staff interviewed confirmed that all strip searches are required to be the same gender, and since strip or body cavity searches were required, they would be considered exigent circumstances with required documentation. Policy DET-02 states under its section on strip searches, "The reasons for the search shall be documented in the arrest report." The staff reported that they routinely request a staff of the same gender, if available, to complete any pat/frisk search if the detainee was different than their gender. They also reported that they could request assistance from other barracks or local police departments.

	Indicator (c). Divisional Command 17-DFS-003 (page 1) set forth the requirements for detainees to shower, change clothes, or use the bathroom without staff observing them. ‘Absent any exigent circumstance detainees will be able to perform bodily functions without Members or Employees viewing their breast, buttocks or genitalia.” Staff interviewed were able to describe how they are required to announce their presence when entering the lockup when an opposite-gender detainee is being held. The announcement requirement is echoed in policy DET-06, which states in the section on entering a cell area, “Department members shall announce themselves prior to entering the cell area containing a member(s) of the opposite sex. Staff shall not place themselves in a position where they can view the breasts, buttocks, or genitalia of a detainee of the opposite gender.” There are no showers or changes of clothes in the lock-up. The Policy goes on to support the other required language of this indicator. Staff reported that they complete random checks during the course of the shift and will make announcements as they enter the cellblock area. There were no detainees to interview, so the Auditor had to rely on policy and staff explanations of the practices in the facility to support compliance. In the lockup cellblock at South Boston Barracks, the Auditor observed a camera that looked into each of the detained individual’s cells. The cameras allow for pixelation or blacking out the area where a detainee would be using the bathroom to enable appropriate privacy from cross-gender viewing. Indicator (d). As noted in indicator (a), the Massachusetts State Police (MSP) only performs strip searches of detainees and only when there is a reasonable belief of a risk to the individual's safety or the facility. Massachusetts State Police policy DET-08 Gender Identity and Expression sets the requirements consistent with the indicators language. It requires transgender or intersex detainees not to be searched or physically examined for the sole purpose of determining the detainee’s genital status. Troopers interviewed confirmed that transgender detainees can state their preference on the search and that it would generally be honored to utilize two of the same gender staff as requested. The department has trained its staff on respectful and professional communication with these populations. Staff knew to use the individual's preferred name and pronouns, and the detainee could generally retain stated items such as wigs or prosthetics. All staff interviewed supported that pat and strip searches are prohibited from occurring to determine the individual’s genital status. The staff confirmed that transgender or intersex detainees would be searched consistently with the gender staff they are more comfortable with. The Auditor also reviewed past training bulletins, which reinforced the policy and the statements provided by officers. All detainees are housed in single cells and would be housed according to their stated gender expression. Indicator (e). The Troopers at South Boston Barracks confirm they have been trained to properly perform cross-gender pat/frisk searches of detainees. They also were able to describe what information they were provided on searching transgender and intersex detainees. Staff report that at both the point of arrest and booking, the troopers will go to lengths to limit the need to perform cross-gender pat/frisk searches. They can ask neighboring barracks or local police assistance if they need

	a female officer to complete a pat search. Staff described the training included communication with the individual about the pat search process. They also acknowledged the use of the back of their hand to avoid any allegations of groping and that when possible, more than one staff be present. Staff confirmed the training included the appropriate steps in pat searching a transgender individual, including effective communication and when possible, complying with the individual's preference for the gender of staff searching them. All pat searches are documented in the officer's arrest report. The Station Commander confirmed that all staff are trained to complete cross-gender pat and pat searches of transgender or intersex individuals. Compliance Determination The Massachusetts State Police has provided sufficient training to the staff on limiting the use of cross-gender searches. Agency policy only allows strip searches or body cavity searches in exigent circumstances but requires that same-gender staff complete such searches. The policies and training provide staff with an understanding of the importance of announcing their presence when entering the block area. The agency has installed digital obscuring of the toileting area to ensure privacy for a detainee. Detainees do not shower or change clothes, and there is signage informing detainees of the monitoring of the cells. The Troopers were able to describe the practices they would employ if there was a need to perform a cross-gender pat search or a search of a transgender or intersex individual. Staff consistently reported they would take steps to have searches completed by the gender staff the detainee feels most comfortable with. The Auditor finds the standard is being complied with based on policy, training materials reviewed, and staff interviews. No detainees were interviewed, so the Auditor had to weigh the decision based on these two factors. The Auditor is also going to find that the standard has been exceeded. The Massachusetts State Police has created a process of maintaining security while limiting the use of strip searches to exigent circumstances. Further supporting the determination of exceeds are the Troopers' descriptions of the use of local police to aid in the search of detainees on the roadside stop or in the barracks to reduce incidents of cross-gender pat searches.

115.116	**Detainees with disabilities and detainees who are limited English proficient**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire Contract for interpretive services (Century Link)

	DET-06 Detainee Monitoring DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07a Detainee Sexual Abuse and Sexual Harassment ADM- 41 Use of Phone ADM-49 Deaf or Hard of Hearing Individuals Postings on interpretive services Postings on Hearing-impaired interpretive services and support for cognitive challenges DMH Extreme Risk Risk Resource Guide Individuals interviewed/ observations made. Posting in the Station on interpretive services. Posting on services for the deaf or hearing impaired Interview with Random Staff Interview with Station Commander Interview with a representative for the Agency's Head Indicator Summary determination. Indicator (a). The Massachusetts State Police has experience in ensuring detainees understand their rights as part of the booking process. Only individuals with the most serious charges would be placed in lockup. Troopers have experience working with diverse groups of individuals, including individuals with physical and emotional disabilities. If the detainee has an apparent mental illness or physical ailments, they can be taken to county jails or emergency rooms. All staff are aware of the interpretive services and that it is inappropriate to utilize another detainee to interpret for one who does not speak English. They have access to services for deaf and blind individuals who might enter custody. The state also assists individuals with intellectual disabilities through the Disabled Persons Protection Commission. Policy DET-07 addresses the agency's commitment when it states, “Detainees with disabilities include detainees who are deaf, hard of hearing, blind or have low vision and those who have intellectual, psychiatric, or speech disabilities. Members shall take appropriate steps to ensure that detainees with disabilities have an equal opportunity to benefit from all aspects of the Department’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include providing access to interpreters who can interpret effectively, accurately,

	and impartially when necessary to ensure effective communication with detainees who are deaf or hard of hearing. In addition, members shall ensure that written materials are provided in formats and through methods that ensure effective communication with detainees with disabilities.” During the tour, the Auditor found information posted on accessing assistance in communication with individuals with disabilities. Interviews with staff also confirmed they will take whatever steps necessary to ensure LEP, disabled, and cognitively challenged individuals understand all their rights, including those guaranteed under PREA. The Auditor was also provided with other resources available to Trooper. Troopers spoken with ensure those with reading or cognitive challenges understand the information being presented. They will take additional time to repeat information to ensure significant comprehension of what is being stated. They report that they will offer to write down information for the detainee, including the PREA Reporting methods. All officers have access to a quick reference document developed by the Department of Mental Health called “An Extreme Risk Protective Order Service Guide.” Troopers are also provided information in policy ADM-49 on the importance of communication with individuals with hearing loss or deafness. Troopers are warned not to assume individuals comprehend information; it tells them to ask the individual for their preferred communication method. The policy highlights the identification of individuals with hearing loss, things to do during communication to improve comprehension, and how to access the state’s Commission on Deaf and Hard of Hearing. The Commission's phone number for day and after-hour calls is listed in the policy. Indicator (b). As noted in indicator (a), the Massachusetts State Police has experience working with Limited English Proficient (LEP) and the resources for providing interpretive services. The agency has access to interpretive services through a contract with Century Link Interpretive Services. Policy DET-07 states, “Members shall take reasonable steps to ensure that detainees with limited English proficiency have meaningful access to information regarding the Department’s policies and efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including by providing interpreters who can interpret effectively, accurately, and impartially.” The agency added PREA notification materials in a second language (Spanish) in the last Audit Cycle. The Auditor suggests that they track the frequency of interpretive service used (through the contract or multi-lingual staff) in the various barracks to determine if other languages are used to ensure appropriate postings in each facility. Troopers use interpretive services to ensure detainees' understanding of all legal rights, including PREA. The Troopers interviewed reported they would ask for assistance on the radio to find an available officer who could speak the detainee’s language. As a large police force, the Massachusetts State Police has a diverse staff with sufficient communication experience with LEP individuals. The South Boston Barracks staff reported some interactions with LEP detainees. On each booking report, the booking officer will document if the individual had a language barrier and the individual who provided the translation services. The Auditor reviewed the booking reports form to see if

	cases included using a formal interpreter or a bi-lingual staff member. Troopers can ask for mutual aid from local Police Departments, who can also assist if a language barrier exists. All bookings are videotaped, allowing the administration to review the process to ensure all rights notifications are provided to detainees, including their education on the Prison Rape Elimination Act. The Agency policy ADM-41 Telephone Use /Access further addresses the standard by instructing officers on using interpreter services. It states, "Department members needing foreign language interpreter services by telephone, for official State Police use, should follow the procedure outlined below: 1. Call Telelanguage (833) 254-4575; 2. State the language needed when prompted; 3. State your barracks name (e.g. "SP South Boston") Note: Members not assigned to a specific Troop or Barracks should use "GHQ"; 4. Wait to be connected to an interpreter; and 5. Make an administrative journal entry into RAMS or ACISS indicating the usage of same." Indicator (c) All staff interviewed at South Boston Barracks knew that utilization of detainee interpreters other than in emergencies such as a medical crisis is inappropriate. Staff were cognizant of the various concerns that would arise from utilizing a detainee to interpret. Policy DET-07 addresses the indicator's concern by stating, "No member shall use detainees as interpreters or readers or otherwise request assistance from another detainee except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the detainee's safety, the performance of first-responder duties, or the investigation of the detainee's sexual abuse/harassment allegations." The OAS pre-audit tool shows there were no instances in the past year where detainee interpreters were used. A review of the booking forms supports that interpretive services have been used or bilingual officers have been used in the education and screening of detainees. The booking form documents when this occurs. All officers knew the use of detainee interpreters was not appropriate. Compliance Determination The Massachusetts State Police policies on Detainee Sexual Abuse and Sexual Harassment and Deaf or Hearing-Impaired provided language consistent with the standard. The South Boston Barracks has appropriately trained staff to ensure they provide each individual with the appropriate information about their right, including those covered in the Prison Rape Elimination Act. The facility has information in alternative languages. Without a detainee to interview, the Auditor relied on policy, the staff's understanding of standard expectations, and examples of how they previously worked with individuals with disabilities or LEP. An interview with the Agency Head representative further supported a determination of compliance. His

	comments on the agency's commitment to ensuring LEP and disabled individuals understand their rights and information to keep themselves safe or report a concern set an expectation for the individual Trooper. The staff confirmed this expectation and provided examples of procedures consistent with the standard. As a law enforcement agency, the Massachusetts State Police is experienced in ensuring clients can understand their rights. Troopers interviewed reported experience of using interpreters to ensure detainees understand their rights and obtain accurate information. The facility is compliant based on interviews, policy, documentation visible to detainees, and the interpretive services contracts in place.

115.117	**Hiring and promotion decisions**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07-Detainee Sexual Abuse and Sexual Harassment Article 5 Rules of Conduct Job Application PREA Questionnaire Massachusetts Law GL 22c- 14 (employment requirements of Massachusetts State Police staff) Massachusetts State Police Website Documentation of Cooperating with background investigations of other agencies Individuals interviewed/ observations made. Interview with Human Resource Staff Interview with PREA Coordinator Interview with Station Commander Summary Determination Indicator (a). The Massachusetts State Police Policy DET-07-Detainee Sexual Abuse

and Sexual Harassment (pages 9-10) addresses this indicator's requirements in the section on employee eligibility. The Policy strictly prohibits the employment or contracting of the services of individuals who have engaged in, have been convicted of engaging in or attempting to engage in, or have administratively been adjudicated for sexual assault. Massachusetts State law has listed prohibitions for employment by the state's police departments. DET-07-Detainee Sexual Abuse and Sexual Harassment utilizes the same language requirements for contracted employees. The Massachusetts State Police does not employ the use of contractors or volunteers who would have contact with detainees. Interviews with HR staff support the process of screening all applicants for employment at the South Boston Barracks.

The employee application process requires potential candidates to confirm that they have not engaged in any form of sexual misconduct described in indicator (a). The document states, "including sexual assault in a prison or jail, any attempt to engage in sexual activity by force in the community or through coercion or engagement with an individual who could not consent." The Background Questionnaire is similar to other law enforcement agencies' applications the Auditor has reviewed. The auditor confirmed the questions were asked at the time of hire and during promotional periods. The Auditor reviewed [redacted] taff files in determining compliance, including individuals hired in the last class of State Police Troopers. The Auditor asked for a random sample of the Human Resource files at the Massachusetts State Police Headquarters in Framingham, MA, and learned that the background check is a thorough process consistent with many police departments. The Auditor was able to see the pre-employment applicant investigation that is completed before the individual is offered an opportunity to attend the state police academy. The process includes more than an electronic review of past criminal records; it includes in-depth interviews with the candidates, their family/ neighbors, and prior employers.

Indicator (b). As noted in indicator (a), the Massachusetts State Police does not employ the use of contracted staff or volunteers at South Boston Barracks. The Massachusetts State Police policy prohibits the employment or contracting of individuals who may have engaged in behaviors described in indicator (a). The Auditor confirmed with the Human Resources staff that the Massachusetts State Police performs criminal background checks on all hired applicants. The Human Resources staff confirmed that all individuals who are recommended for hire or promotion who have potential concerning issues in their work or personal history would be brought to their supervisor's attention before any offer of a position in the institution. All hiring and promotional opportunities are controlled by the agency's central office. The Massachusetts State Police prescreening process for its employees would seek to find information on criminal offenses, and the agency does reach out to former employers for other behaviors that might have caused discipline. The agency will speak to past institutional and non-institutional employers. Some troopers have prior police work in local communities and colleges while others have worked in correctional settings.

Indicator (c). The Massachusetts State Police completes criminal background checks on all employees. Agency policy DET-07-Detainee Sexual Abuse and Sexual Harassment covers the requirements of this standard. In discussions with the Human Resources staff, the Agency consistently does a criminal background check and prior institutional checks as a pre-employment application requirement. The Human Resources staff confirmed the process and was able to show the Auditor how it was completed. The Auditor was also provided with examples of criminal background documents, including the documents on the 8 randomly selected files. There wer[redacted]ported new staff at the barracks in the past year.

Indicator (d). As noted in indicator (a), the Massachusetts State Police do not employ the services of contractors or volunteers who would have contact with detainees

Indicator (e). Discussions with the Human resources staff confirmed that staff have criminal background checks at the time of hire and at least every five years after that. The 5-year checks were met by documentation of the background checks of all employees in 2021. The Human Resources staff confirmed how the process is done and how the information would be processed through the agency's command structure if new charges were found. The Auditor also spoke with the PREA Coordinator and the Human Resources Officer on options to further support compliance documentation.

Indicator (f). As noted in Indicator (a), all South Boston Barracks employees are asked to complete the Employee Application, which includes questions required in Indicator a). The employees, after hire, also sign that they understand their duties for all policy requirements or divisional orders, including when they are updated. Employees interviewed supported they understood the requirement includes an ongoing commitment to report misconduct. During the last audit cycle, the agency moved to ensure the questions asked of potential candidates at hire or promotion included language aligned with the standard. Older employees were asked about the related topic across different sets of questions used in past background surveys. Article 5 Rule of Conduct further informs the officer on the continued need to report sexual or other misconduct when it states, "Members who have been arrested or indicted, members against whom a criminal complaint, restraining order, or warrant for arrest has issued, and members who know or have reason to believe that they have been identified as a suspect in any criminal investigation shall notify their duty assignment supervisor forthwith of said incident or belief. Members are further required to provide a copy of any order modifying any previously issued permanent or temporary court order."

Indicator (g). The Massachusetts State Police notifies employees at the time of hire about the consequences for individuals who falsify or omit information in their applications. Contained in the PREA Employee Questionnaire is the following passage: “I, _____, hereby certify that all statements made in this questionnaire/interview are true and complete. I understand that false, incomplete, or misleading information given herein may be sufficient cause for disqualification from further consideration and/or termination from employment with the Department of State Police.”

Indicator (h). The Massachusetts State Police allow the agency, with proper releases of information, to disclose any PREA-related concerns to other institutions. Interviews with human resources staff confirm that they make requests from both internal and outside employers when hiring. The Human Resources Auditor stated police departments or Jails might come on-site with appropriate releases to review the former employee’s file. The Human Resource staff member understood the importance of attempting to obtain information from previous institutional employers. The agency provided the Auditor with documentation supporting the fact that they cooperate with background investigations of other agencies and would provide information on investigations.

Compliance Determination:

The Massachusetts State Police has policies in place to address the requirements of the standard, including the completion of background checks and pre-employment screening that supports the agency’s efforts to screen out predatory candidates from employment. The Auditor interviewed the Human Resources staff at the Massachusetts State Police headquarters. All Troopers undergo thorough criminal and personal background checks. The process for candidates is significant; beyond criminal background checks and past employment checks, Trooper candidates are fully investigated. According to the agency website, candidates are told the agency “conduct personal interviews focused on your character with individuals such as past supervisors, coworkers, family members, neighbors, and more.” The Human Resources staff reports she works closely with agency management to maintain the line of communication. The Massachusetts State Police has implemented forms in policy to document staff understanding of the requirements related to the various indicators in this standard. The agency provided timely additional documentation when requested to support compliance. The Auditor also reviewed a random sample of staff from the South Boston Barracks. Interviews with the Human Resources staff and PREA Coordinator further confirmed the process to ensure individuals who have engaged in sexual misconduct are not employed at South Boston Barracks or able to get a job at another correctional institution if that facility requests information. As outlined above, the Auditor used several factors to determine compliance.

115.118	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment PREA Individuals interviewed/ observations made. Interview with Station Commander Tour of facility Interview with PREA Coordinator. Indicator Summary determination. Indicator (a). The Station Commander confirmed there had been no physical plant modifications at this facility in the past three years that would impact detainee supervision. Discussions with the PREA Coordinator included how he should be a part of any modification plans to state facilities. The PREA Policy DET-07 speaks to the standard language, “When designing or updating holding cells, the Department will consider the effect of the design upon the ability to protect detainees from sexual contact.” Indicator (b). The Station Commander confirmed there had been no video or monitoring technology upgrades inside the facility in the past three years that would impact the Detainee's supervision. The agency added body cameras to all officers' standard-issued equipment during the previous round of PREA Audits. The Troopers use them when dealing with an individual in custody, including through the booking process. The Auditor observed that the desk officer can observe the location of all the station vehicles on duty through GPS. This technology could help determine the validity of allegations during the detainee's transport to lock up or to court. The agency has also issued cruiser cameras in the past three years, which will record the detainee in transport. The Auditor recommends these items be discussed in the annual review of the staffing plan. As in indicator (a) policy, DET-07 also addresses expectations regarding the detainees' safety in the purchase of monitoring technology. “When installing or updating video monitoring systems, the Department will consider how the technology may enhance the ability to protect detainees from sexual contact.”

	Compliance Determination The Auditor finds the standard is compliant. The State of Massachusetts has invested significantly in providing monitoring technology that would aid in any investigation. Interviews support systems to make requests related to staffing or technology exist, and the PREA Coordinator would be a part of that conversation. Agency policy also addresses expectations consistent with this standard.

115.121	**Evidence protocol and forensic medical examinations**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment PREA INV-01 Criminal Investigations INV-10 Evidence Collection and Presentation Evidence Handling and Submission Manual 10.1 ECU- Sexual Assault Evidence Collection Kit Evidence Collection Unit- related documents PREA Investigator Training materials Massachusetts Sexual Assault Law Enforcement Guidelines 2017 Sexual Assault Evidence Collection Tracking Policy Mass.gov listing of SANE Hospitals Mass.gov information on SPDU Mass.gov information on Rape Crisis Services 2023 training bulletin Individuals interviewed/ observations made. Interview with Station Commander

	Interview with Criminal Investigator Interview with Random Staff Indicator Summary determination. Indicator (a). The Massachusetts State Police is responsible for investigating Sexual Abuse allegations in the Massachusetts State Police lockups. DET-07 states, “The Department shall ensure that an administrative or criminal investigation is completed for all allegations of detainee sexual abuse and/or sexual harassment.” DET-07A further qualifies the expectation when it states under the responsibilities of the investigator, “Follow uniform evidence protocol that maximizes the potential for obtaining usable physical evidence.” Massachusetts State Police is the state's highest law enforcement agency and is responsible for completing PREA investigations at its facilities and the state’s correctional facilities. The state has several documents that direct investigators in Massachusetts to collect evidence for use in criminal or administrative investigations. Though each Barracks has law enforcement officers, all allegations will be investigated by individuals outside the station's command structure. This process further supports an objective investigatory process. Criminal Investigators trained in completing sexual assault investigations are in each county’s State Police Detective Units (SPDU). The state website describes the investigator’s role as a rapid response team working to investigate abuse and further supports coordination with the state’s 11 District Attorney’s Offices. There were no allegations of Sexual Abuse at the South Boston Barracks. The Auditor spoke with a trained investigator who had worked in the State Police Detective Unit. The SPDU may also investigate allegations that may occur in County Jails. The materials provided by the State Police complement the state’s Attorney General’s 2017 Sexual Assault Law Enforcement Guidelines. Indicator (b). The Auditor has reviewed several documents provided by the State Police and state websites on steps to ensure the collection of forensic evidence at the scene and on the individuals alleged to be involved uniformly. The State Police have several documents that direct investigators in properly collecting and storing evidence at a sexual abuse crime scene. The Auditor also confirmed with a local hospital representative and SANE nurses that the state has a statewide protocol governing the hospital staff’s evidence-collection process. The Investigator also confirmed that there are statewide protocols for adult and juvenile victims. The Auditor reviewed the various documents for consistency with the National Protocols for Sexual Assault Medical Forensic Examinations. Victims of sexual abuse will be sent to one of the state’s 39 hospitals. The Massachusetts AG document was developed in collaboration with individuals from medical, legal, scientific, SANE, victim advocacy, mental health organizations, and representatives of the State Police and the State Crime Lab. The 72-page document covers all aspects of both the medical professional and law enforcement duties in collecting evidence of a sexual assault crime. Topics cover the trauma in its effect on the victim, the

	investigative process, the role of the initial law enforcement responder, the role of the sexual assault investigator, the process for collection of evidence, crime scene preservation, and the role of the Sexual Assault Nurse Examiner. The protocol also defines the process for completing a Massachusetts Sexual Assault Evidence Collection Kit. No volunteers or civilian employees would ever have contact with a detainee at the South Boston Barracks. Indicator (c). All victims of Sexual Abuse would be transported to a local hospital to check their overall health and to offer a forensic examination. The State Police Investigator confirms that each District has local hospitals where a trained SAFE/ SANE can transport victims for a forensic exam. The state has an up-to-date list of hospitals with trained staff. With twenty-two certified SANE emergency rooms/ hospitals, the investigator is confident they can find a hospital with a SANE-trained individual on duty in the state at all times. The Auditor confirmed that the hospital staff report they would most likely transport a victim is designated as a “SANE site.” The SANE website on Mass.gov provides an updated list of hospitals with trained Sexual Assault Nurse Examiners. There are several hospitals in the area with SANE services. Troopers were asked about local hospitals where victims would be taken. The Auditor found the hospital identified by moth staff on the state list. The Facility has a PREA Binder at the Desk Officer’s station with information of where victims of sexual assault should be transported. Indicator (d). The Massachusetts State Police policy DET-07A sets forth the requirement to try to offer individuals the support of a rape crisis agency. It states, “Attempt to make a victim advocate from a rape crisis center available to the detainee.” The Auditor confirmed with the investigator that any victim of sexual abuse would be allowed to be accompanied during the forensic exam or interview by a Rape Crisis Advocate. The Auditor spoke with a local hospital and confirmed their protocol has the nurse offer the victim the support of a rape crisis agency. This practice is consistent with the state’s forensic exam protocol for sexual abuse. The Auditor has also spoken with different rape crisis agencies who support providing accompaniment services in the state for examinations and investigatory interviews. The State website provides a complete list of rape crisis advocacy centers that can support victims of sexual assault. As noted above, there were no allegations of sexual assault at this facility, and as a result, no individual was transported to a hospital for an exam. Indicator (e). The indicator is not applicable. Massachusetts State Police is responsible for completing both criminal and administrative investigations. Indicator (f). The Auditor is not required to review this provider.

	Compliance Determination The Auditor finds the standard has been met. The compliance determination is based on policy reviews, observations, documentation, web searches, and interviews with both Massachusetts State Police and hospital staff. There were no actual allegations, so there was no investigative file to review as part of the compliance determination.

115.122	**Policies to ensure referrals of allegations for investigations**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment PREA INV-01 Criminal Investigations INV-01A Case Management PREA Investigator Training Individuals interviewed/ observations made. Interview with the Agency Head Representative Interview with Criminal Investigator Interview with PREA Coordinator Random Troopers Indicator Summary determination. Indicator (a). The Massachusetts State Police have several policies that set forth the obligation for investigations of sexual abuse that occur in MSP's lockups. The policy requires that "all allegations of sexual abuse or sexual harassment are referred for to an investigating agency with legal authority to conduct such criminal investigations, and less the behavior does not involve potentially criminal behaviors and to document all such referrals." The State Police do have the authority to

	investigate such crimes. The policy also requires that all investigators receive special training to investigate sexual abuse cases in a confinement setting. The Auditor reviewed the training documents for the content. Topics included sexual abuse evidence collection, interviewing victims of sexual abuse, using Miranda and Garrity warnings properly, and the criteria and evidence required to substantiate a case for administrative action or prosecutorial referral. There were no allegations at the South Boston Barracks of sexual abuse. Random troopers interviewed said they must refer all allegations of sexual abuse or sexual harassment for investigation. Interviews with the Station Commander and the Investigator describe the immediate steps that would be taken once an allegation has been received. Any internal investigation that identifies criminal activity or involves a staff member would be immediately referred to the department's State Police Detective Unit (SPDU) and the Office of Professional Integrity and Accountability (OPIA), which will complete internal affairs investigations. The criminal investigation of sexual assault crimes at state facilities is the responsibility of the trained State Police detectives assigned to the County’s State Attorney’s office. These investigators are out of the chain of command of the local barracks to ensure impartial and transparent investigations. Indicator (b). The indicator is not applicable. The Massachusetts State Police is Responsible for both criminal and administrative investigations. Indicator (c). The Auditor is not required to audit this provision. Indicator (d). The Auditor is not required to audit this provision. Compliance Determination The Auditor finds the standard has been met. The compliance determination is based on policy reviews, observations, documentation, web searches, and interviews with various Massachusetts State Police staff. Absent an actual investigation at a lockup, the Auditor had to rely on the investigator's knowledge of completing a sexual assault investigation. The Investigator described the steps he would undertake to complete a PREA investigation. The Massachusetts State Police report having 72 trained Criminal Investigators in Investigating sexual abuse and sexual harassment in confinement settings. The agency also has 21 additional trained Office of Professional Integrity and Accountability (OPIA) staff who can perform administrative investigations.

115.131	Employee and volunteer training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment 17-DSF-03 17-DSF-34 Online Training Academy Materials Online Training Bulletin 2022 and 2023 Staff Training Records Individuals interviewed/ observations made. Interview with Random Staff Interview with PREA Coordinator Indicator Summary determination. Indicator a). The Auditor reviewed the training materials used to educate employees when hired and during annual refreshers. The training materials examined contained all required elements of this indicator over the 56-slide PowerPoint. Employees are trained, and random staff interviews support an understanding of the agency's zero-tolerance policy toward sexual misconduct. Policy DET-07sets forth the training requirement elements "All employees and members who may have contact with lockup detainees shall receive training regarding: • The Department's zero-tolerance policy and detainees' right to be free from sexual abuse and sexual harassment; • How to fulfill their responsibilities regarding prevention, detection, reporting, and response to sexual abuse and sexual harassment; • The right of detainees and employees to be free from retaliation for reporting sexual abuse and sexual harassment; • The dynamics of sexual abuse and sexual harassment in confinement;

	• The common reactions of sexual abuse and sexual harassment victims; • How to detect and respond to signs of threatened and actual sexual abuse; • How to avoid inappropriate relationships with detainees; • How to communicate effectively and professionally with detainees, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming detainees; and • Compliance with relevant laws related to mandatory reporting of sexual abuse.” The Random staff gave examples of what they do in their daily jobs that help protect, detect, and respond to incidents of sexual misconduct. The Troopers reported awareness of the detainees' and staff's rights to report a concern without fear of retaliation. Staff were aware of individuals at greater risk and the symptoms of individuals who might be victims of abuse. A portion of the materials goes over staff standards of conduct, professional boundaries, and the mandatory responsibility to report individuals who violate the policy. The staff members were also able to discuss what they had learned about working with LGBTI detainees. Staff knew transgender and intersex detainees should be searched according to how they identify and use the preferred pronouns when speaking with them. The Troopers report they are given updates as policies are adjusted and signed for them electronically. A copy of the 2022 update was also provided, along with electronic documentation of staff who have completed the training. The Massachusetts State Police will not allow volunteers to come into contact with detainees. During the random interviews staff provided information consistent with the training documents. Staff report they have constant access through the online training and agency resource portal. The Auditor confirmed for the PREA Coordinator that the answers staff provided included areas where recommendations were made in the past audit cycle for improvement. Indicator (b). The Massachusetts State Police trains all employees on an annual basis in PREA. The records provided support it is not just Troopers in the Barracks but all MSP employees. Training records confirm information received through random staff interviews and informal questions the Auditor asked of staff during the tour. In addition to annualized formal training on PREA, the state put out training bulletins that all members must read and acknowledge as described in indicator a). Staff members confirm policy updates are distributed in the same manner. Training Bulletins provide information and serve as updates to all Troopers. All employees had to confirm they had read and understood the information electronically in ‘Power DMS.’ The Auditor was provided with training records for all troopers in the state for the past two years.

	Indicator (c). The training records reviewed by the Auditor confirmed that staff signs an acknowledgment form that they understand the content of the training. The Auditor was also provided with examples of the acknowledgment forms corresponding to live training or policy distribution. The Massachusetts State Police also provides an Online Academy in which officers are required to review materials online and pass a competency test. Online education requires the Trooper to pass the test and acknowledge that they understand the materials presented electronically. Policy DET-07 also addresses this requirement, “Every member or employee who may have contact with detainees shall acknowledge either in a written or electronic format that he or she understands the Department’s PREA policies and protocols and the PREA training he or she has received.” The Troopers confirmed that they have been required to pass quizzes as part of the process. They also state that they have confirmed the training in Power DMS. All officers have continued access to all PREA training materials through a shared folder on their computer system. Troopers also report that training bulletins are passed out routinely to further clarify information. The Auditor reviewed bulletins from the past few years. Compliance Determination: The Auditor has determined the facility has appropriately trained its staff in the areas required by this standard. South Boston Barracks Troopers were well-educated on the training topics mandated by the standard. Staff provided examples to the Auditor questions related to the required training elements. The Auditor reviewed agency policies and procedures, training curriculums, materials, and reports showing who completed the requirements. In addition to training its staff, it also requires them to pass a test. The Auditor reviewed training as part of the HR review of employee records. The facility provides training more often than the requirements of this standard, as it trains staff annually. The training unit further supports ongoing training by publishing training bulletins periodically that reinforce PREA topics and training modules. The Auditor determined compliance based on staff having retained the knowledge received from training, training materials, and staff training records. New employees confirm they received classroom instruction while in the academy. There are no volunteers allowed at South Boston Barracks.

115.132	**Detainee, contractor, and inmate worker notification of the agency's zero-tolerance policy**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed.

	South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment 16-DFS-016 Prison Rape Elimination Act 17-DFS-034 Prison Rape Elimination Training Bulletin 2020-32 Individuals interviewed/ observations made. Interview with Troopers Interview with Station Commander Indicator Summary determination. Indicator (a). All Troopers are trained to ensure Detainee understands the Massachusetts State Police zero-tolerance policy toward sexual abuse, sexual harassment, or retaliation. Training materials direct Troopers, “At booking, you shall advise detainees of the Department’s Zero Tolerance to sexual abuse and sexual harassment.” Policy DET-07 includes language instructing Troopers to educate detainees. ‘Members shall take appropriate steps to ensure detainees an opportunity to benefit from all aspects of the Department’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment.’ Signage is posted in the booking area, and the agency has brochures on PREA rights. All Troopers interviewed reported that they reviewed PREA and how to report a concern during all bookings, not just for overnight stays. The Troopers described the process they go through to educate all detainees during the booking process. 402 bookings in the past year were educated on PREA, with 45 individuals held overnight. There were no individuals booked during the audit to see the initial education process. All education is documented by the trooper in the electronic case management system. Officers wear body cameras during the booking, allowing the agency to review the information provided. All staff knew of the interpretive service phone line LEP or hearing impaired individuals. The Auditor observed signage available in English and Spanish about the agency’s zero-tolerance stance toward sexual assault. The signs had information on how to report concerns internally and externally. All random staff were asked about their practices in the education of all individuals at the time of booking on PREA, the Agency’s Zero Tolerance toward Sexual Abuse and Sexual Harassment, and their rights to be able to report a concern. Troopers confirmed they would read the PREA Signage aloud and encouraged the detainee to read along from the posted signs. If the individual is LEP, they will have the person interpreting the booking process read the information to them. A review of the sign confirms the following elements are included

	· That the Massachusetts state police has zero tolerance toward and sexual abuse or sexual harassment of detainees · That all complaints of sexual assault or sexual harassment will be investigated · Methods of reporting including: directly to staff, filing a written complaint, having a third party make a complaint on their behalf, or utilizing the Attorney General's office as an outside method of reporting. · They are provided phone numbers for internal or external reporting and website information for also reporting a concern to the internal affairs department of the MSP. Troopers confirmed they will write down any information the detainee needs or requests. They also understand that they may need to break down the information further to individuals with cognitive challenges. The agency has policy language on effective communication with individuals with disabilities or Limited English proficiency. Indicator (b). As noted previously, no contractors are allowed in the cellblock area if any detainees are present. State procedures prohibit non-law enforcement individuals from coming in contact with a detainee. The agency does not use detainees to perform work duties. Compliance Determination The South Boston Barracks is compliant with the standard expectation. The Auditor relied on policy, staff knowledge of expectations, and a booking description to make his determination that all detainees are provided information on the agency's Zero Tolerance stance toward sexual misconduct.

115.134	**Specialized training: Investigations**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07a Detainee Sexual Abuse and Sexual Harassment

	Training Materials for Criminal Investigators Individuals interviewed/ observations made. Interview with a Trained Criminal Investigator Interview with PREA Coordinator Summary Determination Indicator (a) As the state's highest law enforcement agency, the Massachusetts State Police employs its own investigative body for criminal and administrative investigation of crimes at a state police barracks or when a detainee is in custody. The department's Division of Investigative Services would be responsible for a criminal investigation of sexual abuse. As noted previously, the State Police Detective Units (SPDU) are positioned in each of the state's 11 District Attorney's Offices to allow for rapid response to allegations of abuse. Administrative investigations of staff actions or complaints are filed through the department's Division Office of Professional Integrity and Accountability (OPIA), the agency's internal affairs office. The Massachusetts State Police currently report that they have 72 investigators trained in completing PREA investigations. The PREA Coordinator reports that 10 of the 21 individuals working in the internal affairs unit (OPIA) have completed the required training. The Massachusetts State Police are responsible for completing PREA investigations at county correctional facilities and Department of Youth Services facilities in addition to its lockups. Policy DET-07A addresses the indicator's requirement, "Department Investigators shall receive special training in detainee sexual abuse and sexual harassment investigations according to Code of Federal Regulations (CFR) 28 CFR § 115.34, which shall include: · Techniques for interviewing sexually abused or sexually harassed 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." The Agency provided curriculum from both the 2014 and 2022 courses and training attendance documents for those officers who are approved to complete sexual assault investigations in a correctional setting. As noted, though all state Troopers are trained in criminal investigatory techniques, none of the Barrack's staff would act as an investigator of a sexual abuse incident at the South Boston Barracks.

	Indicator (b) Policy DET-07A, as stated above, provides some direction on the items required in the training of staff approved to complete sexual abuse investigations in state barracks. The 2022 topics included the following. “Participants in the SAIT program will learn concepts, processes, and skills through a variety of learning strategies. Required courses include: 1. Introduction to Sexual Assault Investigation 2. Defining PREA Allegations 3. Evidence Protocol and Forensic Medical Examinations 4. Interviewing Victims and Suspected Perpetrators 5. Investigative Outcomes 6. Documentation 7. Post-Allegation Tracking and Monitoring As such, Massachusetts State Police Detectives have received training in completing investigations consistent with the standard. The Massachusetts Department of Corrections developed the training. The program further confirmed that Miranda and Garrity are covered and the protocols for evidence collection and expected elements in the final report. The Agency course reviewed by the Auditor contained all the relevant topics needed in this standard. The interview with a trained investigator confirmed the training he attended covered how to communicate with a victim of sexual assault and the use of Miranda and Garrity warnings. The Investigator described steps in collecting and preserving evidence and deciding on substantiation for administrative action or prosecutorial referral. The PREA Coordinator reports that he is sending additional staff this year to be trained in the completion of investigations of Sexual Abuse in a Correctional Setting. Indicator (c) Training records were provided for staff who completed the specialized investigations training. In both 2014 and 2022, supporting the OAS document states 72 individuals who have completed the required training are still employed. Some of these individuals have been promoted but the agency still maintains a robust number of officers who can respond to any allegation. Indicator (d) The Auditor is not required to review this indicator Compliance Determination: The Massachusetts State Police ensures that staff who complete investigations have received appropriate specialized training on investigating sexual assault in a correctional setting. All MSP Investigators of sexual assault are trained law enforcement officers with specialized training in completing investigations in

	correctional settings. Each state county has a State Police Detective responsible for conducting criminal investigations into sexual abuse cases at state and county facilities. The agency's internal affairs unit also has staff trained in completing administrative investigations into staff actions that directly or indirectly lead to abuse. The agency has worked with the state Department of Corrections to ensure the investigators get additional specialized training for completing sexual assault investigations in a correctional setting. Documents and interviews support that the investigators are trained in the requirements of a PREA-related investigation. Absent a case to review, the Auditor relied on the training materials, policies, and interviews to support compliance.

115.141	**Screening for risk of victimization and abusiveness**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-04 Holding Facility Design and Inspection DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07A Detainee Sexual Abuse and Sexual Harassment Booking Screens with PREA Questions PREA Training Bulletin Individuals interviewed/ observations made. Interview with Random Troopers Interview with Desk Officer Interview with Station Commander Indicator Summary determination. Indicator (a). The South Boston Barracks has limited overnight stays; in the previous 12 months, they reported having 45 overnight stays. Consistent with Massachusetts State Police policy, they will screen all individuals who go through the booking process for risk of victimization and abusiveness. The facility does not

	regularly hold individuals overnight; most persons are released in under 6 hours. Agency policy DET-07 requires all individuals to be screened for perceived risk of being sexually abused or harassed. “In accordance with training, when booking detainees, sworn members shall screen all detainees to assess their risk of being sexually abused by other detainees or sexually abusive toward other detainees. Sworn members shall also advise detainees of the Department’s zero-tolerance policy toward all forms of sexual abuse and sexual harassment towards any detainee. The screening and the advisement of the Department’s zero-tolerance policy shall both be documented in the RAMS/Department Records Management System. If after screening, the sworn member determines that the detainee may be at risk, the detainee shall be housed alone in a holding cell for the duration of his/her detainment at a State Police facility. This includes post-screening transportation in a Department vehicle to/from court, jail, prison, or other agency.” The Station Commander confirmed the facility's attempts to evaluate all individuals in lockup and keep contact with other detainees at a minimum as all detainees are single-celled, and no more than one individual is allowed out of their cell and required to be escorted by staff. The lockup allows the desk officer to have constant video and audio surveillance of the area. If one individual is seriously acting up, the agency can reportedly look to other barracks to move one or the other. The facility will not house both males and females in the same area of the lockup. The South Boston Barracks was designed with 7 cells, which will not allow detainees to be separated by gender. As noted in 115.114, Juveniles are not allowed in lockup and must be moved to a DYS-approved facility if arrested, but they are also screened for risk. The South Boston barracks was not built with DYS-approved cells, but the agency has put in place the practice of not using them where they have them, instead expediting the juveniles to a guardian or DYS. DET-04 also directs staff on the use of approved temporary holding spaces, such as the booking area, where detainees can be under constant supervision. The policy goes on to reinforce this as an option of keeping males, females, and juveniles apart as well as protecting those deemed at a higher risk for sexual vulnerability. Indicator (b). It is rare for detainees to be held overnight at the South Boston Barracks lockup. The Auditor asked random staff who could potentially complete a booking how individuals are screened for vulnerabilities or aggressive histories. The staff reports they complete screenings and will document the concerns in the electronic case management file. The Auditor was able to see where the Trooper verified that they had asked screening questions on the booking screens. Troopers ask all individuals about their perception of safety in the environment after explaining that they will be housed by themselves. The South Boston Barracks has seven (7) cells in one units, all of which are designed for single occupancy. The South Boston Barracks reported 45 overnight stays in the past year but had completed screening on 402 individuals who had gone through the booking process. Troopers report they will never put two individuals in a cell and closely monitor individuals at risk of abuse or have difficulties adjusting to the arrest. The Troopers confirm they consider the person's emotional state, reported medical issues, reported disabilities including hearing or visual impairments, reported psychiatric

history, and current or past suicidal ideation. Detainees are allowed to state their gender identity even if it differs from what appears on their license. The Auditor confirmed that two detainees would never be out of their cells simultaneously or out of the cell without two troopers. Detainees with high anxiety about cell placement, who may be getting released, may be allowed to remain on the cuffing bench even if the cell block is empty.

Indicator (c). Staff report they ask all individuals if they have concerns about their custody safety. Though all detainees are in single cells, they will try to separate individuals further in the cells when needed. That could mean allowing one to stay on the booking bench until a release occurs or moving them to another facility. Once arrested, the detainee remains in the cell and will not be out at the same time as another detainee. Staff reported they watch closely for individuals who appear at greater emotional risk. Troopers will provide extra tours into the cellblock, especially if concerns about emotional stability exist. Officers reported they would call for an emergency health screening or have the detainee taken to a hospital if there was a suicidal concern. The Desk officer can observe and hear in the cellblock between tours. If a detainee is identified with a significant emotional or medical state, a second trooper would provide direct observation until medical evaluation could be completed at a hospital or by EMTs.

Indicator (d). Troopers must ask and document the following information on a detainee’s risk factors no matter what time they are booked. The Training Material requires “At booking, you shall advise detainees of the department's zero-tolerance to sexual abuse and sexual harassment. Also, you shall screen all detainees to assess their risk of being sexually abused by other detainees or sexually abusive towards other detainees. The screening shall consist of: 1) asking the detainee about his or her perception of vulnerability, e.g., “If you are placed in the cell, do you have any concerns about your safety or bout about being abused in any way? and 2) assessing the detainee’s risk of sexual abuse or sexual abuse of death by considering the following factors

- • whether the detainee has a mental, physical, or developmental disability
- • the age of the detainee the physical build and appearance of the detainee
- • whether the detainee has previously been incarcerated
- • the nature of the detainee's alleged offense in criminal history

You must consider whether a detainee is at high risk of being sexually abused or sexually abusive on a case-by-case basis.” The Auditor reviewed several files and was provided copies of the 12 random booking reports showing the completed screenings. The Auditor asked Troopers situational questions to understand how they would use the information obtained in the screening process. The operational procedures in place eliminate two detainees from having physical contact. As a result, sexual abuse between detainees is, in essence, eliminated. Troopers also

	understood that detainees need to be protected from repeated verbal sexual harassment. Compliance Determination The Massachusetts State Police has in place the ability to screen individuals for risk of abuse or aggression. Given the procedures and physical plant, detainees would not have access to each other to sexually assault one another. The Agency has policies in place and has trained staff on steps to protect individuals in custody from sexual abuse or sexual harassment. The facility reports that they rarely have more than one individual in the cell block at a time, as most individuals are released in under 6 hours. The staff interviewed are aware of assessing each detainee and providing additional monitoring as needed individually. Staff compared the steps taken to protect individuals at risk of suicide and the steps they would implore to keep a person safe. The agency attempts to limit the use of overnight custody, and when an individual cannot make bail, they will utilize county lockups if possible. The Auditor finds the standard is compliant. In determining compliance, the Auditor relied on staff knowledge of required screening elements, examples of how they would utilize the information to protect individuals, policies, training materials provided, and the random records reviewed.

115.151	**Detainee reporting**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-03 Detainee Transportation DET-04 Holding Facility Design and Inspection DET-07 Detainee Sexual Abuse and Sexual Harassment DEY-06 Detainee Monitoring Prison Rape Elimination Act Signage (English/Spanish) Documentation of Attorney General’s Office to serve as alternative reporting Massachusetts State Police Website PREA Brochure

Individuals interviewed/ observations made.

Interview with PREA Coordinator

Signage in the facility

Indicator Summary determination.

Indicator (a). The Massachusetts State Police have set up multiple ways for detainees to report Sexual Abuse, Sexual harassment, retaliation, or staff neglect that may have contributed to an abuse incident. The Troopers are trained to educate all individuals they come in contact with through the booking process. Troopers have a series of required notifications they complete during the booking process, including educating the detainees on their rights related to PREA. Detainees can tell any trooper or supervisor they have contact with while in custody or after release. Detainees are provided information on filing a PREA Complaint through the citizen's complaint department, which would also notify the Agency PREA Coordinator. The Auditor filed an email to the citizen complaint through this process, and I received a return call. The Information on filing a complaint is read to them from a posted sign in English and Spanish in the Booking area. They are told that the information is available on the state’s website. The Tropers inform the detainee that they will provide the information in writing if requested. Staff reported that the detainees could report to any uniformed officers or the Station Commander. The staff also acknowledged that they could report outside the chain of command if necessary without consequences. They stated they must report all allegations of sexual harassment or sexual abuse and report any concerns of retaliation or staff failings that led to abuse. Detainees are allowed to make calls by phone in the booking area or after they leave. The detainees do not have a separate phone they use, as one might find it in a correctional center, so the calls are not recorded. The population does not have access to mail or writing materials while in the brief custody of the State Police. Troopers will provide the phone numbers or addresses that appear on the signage to any detainee. All records of the education and screening of detainees are done in the state’s electronic case management system. The Auditor has tested the internal reporting mechanism through the MSP Citizens Complaint line that appears on the state website and the external method through the AG’s Office. The Station Commander would be responsible for monitoring the retaliation of staff. If a sexual assault occurred, that victim would be transferred to another barracks or a county correctional center after being seen in the hospital. In addition to telling an officer, detainees can receive an informational brochure on PREA and ways to report a concern, including filing an SP 340 citizen complaint form in person or online and calling the state police HQ or the AG’s office. The document also lists each of the state’s rape crisis agencies.

	Indicator (b). The Massachusetts State Police have set up the Attorney General's Office as an outside reporting entity that detainees could use to report a PREA-related concern. The Office of the Attorney General is a public entity that is separate from the Massachusetts State Police. The phone call allows the detainees to remain anonymous if so requested. Upon receiving an alleged incident, this outside agency can immediately forward detainee reports of sexual abuse and sexual harassment to the Massachusetts State Police PREA Coordinator for investigation. Language on the PREA signage viewed during the audit expressly states the Attorney General's Office is separate from the State Police to reassure any victim that the incident would be investigated. During the interviews with Troopers, the Auditor reviewed the importance of ensuring all the information is read directly to the detainees, including reporting options. Troopers interviewed also knew they could also report a concern about sexual misconduct in the same way. Policy language also covers expectations of the standard. "Detainees are informed of at least one way to report sexual abuse and/or sexual harassment to a public or private entity or office that is not part of the Department, allowing the detainee to remain anonymous if so requested." Indicator (c). In interviews with the Auditor, all Troopers confirm that they will accept allegations of sexual abuse or sexual harassment verbally, in writing, anonymously, from third parties and report the information to their supervisor or Station Commander. The Troopers describe various methods that detainees could use to report sexual abuse or sexual harassment. They also explained how detainees are educated about PREA information when they first arrive in the booking area. The Auditor could see signage informing detainees how to report a concern. There was no one present when the Auditor toured the South Boston Barracks. Policy DET-07 states, "Alleged detainee sexual abuse and/or sexual harassment incidents, including third-party and anonymous reports, are reported to designated investigators;" All troopers spoke with knew to report all allegations no matter their own perception of the validity of the allegation. The officers also knew that all allegations of sexual abuse at other correctional centers must be reported to the Duty Lieutenant so that the other agencies could be informed. No bookings occurred during the Auditor's presence on the three shifts. Indicator (d). State Troopers can submit reports themselves to the Attorney General's Office or the Massachusetts State Police OPIA office. They also can submit the report anonymously. Staff confirmed they will not be disciplined if they go outside the chain of command to report a concern about a coworker or supervisor engaging in sexual abuse or harassment of a detainee. Agency policy addresses the ability of staff to report a concern about a coworker or supervisor. DET-07 states, "Department employees may privately report sexual abuse and/or sexual harassment by contacting the PREA Coordinator, filing a complaint with the Office of

	Professional Integrity and Accountability, or utilizing the PREA third party contact number posted on the Department's website and on the PREA informational brochure. Methods of reporting shall include: in-person, phone, mail, email, fax or any means by which the employee feels comfortable in reporting to a supervisor and/or the PREA Coordinator. Employees are expected to report any knowledge or suspicion of abuse. The methods of reporting are expected to vary based on the situation and the individual involved. Should there be any question as to the most appropriate method, the PREA Coordinator or Supervisor should be contacted." Compliance Determination The Massachusetts State Police have several policies and orders that direct staff to ensure all allegations of sexual abuse or sexual harassment are reported. No matter if they are placed in a cell, all detainees are educated about their rights to report sexual abuse or harassment by staff or other detainees. These reports would also include any claims of retaliation or neglectful actions of a Massachusetts State Police staff member. The policy language describes internal and outside reporting methods. Detainees use the phone at the booking desk, and Troopers confirmed they would provide the information posted in writing if requested. Staff demonstrated knowledge of the standard's expectations. The staff knew the elements they had to educate detainees about. The Troopers confirmed the obligation to document all reports, no matter the source and whether they received it verbally, in writing, or anonymously. The agency's policies, interviews with staff, and observations during the facility tour supported compliance with the standard.

115.154	**Third-party reporting**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07a Detainee Sexual Abuse and Sexual Harassment Massachusetts State Police Website Agreement documentation from the Attorney General's Office

	Individuals interviewed/ observations made. Massachusetts State Police Citizen Complaint Line Interview with Random Troopers Postings in the facility. Indicator Summary determination. Indicator (a). There are multiple avenues for which the Massachusetts State Police may receive a third-party complaint. All Troopers interviewed knew they must take forward for investigation all allegations of sexual misconduct, no matter the source or their own beliefs as to the validity of the claim. They knew that family or friends could call with a concern that should be immediately passed up the chain of command to the Duty Lieutenant. The Detainees can see postings informing them they can report a concern to the Attorney General's Office or the State Police headquarters through the citizen response report. The posting gives information about the state's website, which was also reviewed to determine compliance. The Auditor has tested the systems to ensure that complaints were forwarded to the appropriate individuals to ensure investigation. The MSP website has a PREA page with the following information, which supports their ability to receive third-party complaints. "Detainees experiencing sexual abuse or harassment may report the behavior to any Massachusetts State Police employee, or to a third party, such as friend or family member, attorney or advocate, who may make the report for them. If you were assaulted as a detainee while in State Police custody, or you know someone who was assaulted while in State Police custody, you can report the incident by calling the Massachusetts State Police Citizen Response Intake Line at (508) 988-7003 and following the prompts; by contacting a State Police facility for instructions; by appearing in person at a State Police facility and completing an SP 340 citizen complaint form; or by downloading the SP 340 form from the State Police. When reporting an alleged incident, please provide, as best you can, a description of the alleged incident, the location of the incident, the date, time, identity or ID number of the individual(s) whom you believe assaulted or harassed you, the identity of any witnesses, your name, if you choose, and a telephone number or address where you can be reached. Please visit here on how to submit a complaint." Compliance Determination No PREA-related complaints at the South Boston Barracks were reported to the facility directly from another agency, interested party, or family member. The state website and subsequent reporting line have not received an allegation of sexual misconduct in the past year. The Auditor based compliance on interviews and the systems in place, which he was able to test to see if the inquiry was forwarded.

115.161	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-06 Detainee Monitoring DET-07 Detainee Sexual Abuse and Sexual Harassment 17-DFS-003 17-DFS-034 MA.GOV information on reporting abuse and neglect of Juveniles and vulnerable persons PREA Brochure Individuals interviewed/ observations made. Interview with Station Commander Interview with Random Staff PREA Posters in the facility Indicator Summary determination. Indicator (a). Several policies and Division Command Orders support the requirement that all knowledge, suspicion, or information about an incident of sexual assault, sexual harassment, or retaliation against individuals who cooperated in an investigation is immediately reported. DET-07 Detainee Sexual Abuse and Sexual Harassment states, “Alleged detainee sexual abuse and/or sexual harassment incidents, including third-party and anonymous reports, are reported to designated investigators.” It goes on to state staff must take “appropriate measures to prevent retaliation against individuals who report and/or cooperate with an investigation.” The expedience of this obligation is reiterated in Divisional Commander’s Orders, which states, “All Department employees shall report to their immediate supervisor any knowledge, suspicion or information regarding detainee sexual abuse or sexual harassment that occurred within a Department lockup facility. All Department employees shall take immediate action to protect a detainee from imminent sexual abuse.”

	A review of the coordinated action plan shows the State Police Detective Unit (SPDU) of jurisdiction and the Troop Duty Office are required to be notified. The SPDU are the individuals trained to complete sexual assault investigations at the agency's facilities. Interviews with random Troopers at South Boston Barracks confirmed the understanding that all allegations of sexual assault, sexual harassment, or retaliation, no matter the source, must be reported immediately. Staff were able to describe the process by which an incident would be reported. The staff also confirmed the reporting would occur immediately. Finally, in random interviews, the Auditor confirmed with the staff the obligation to report on a co-worker's actions or inactions that may have contributed to an incident of sexual misconduct. Indicator (b). Random Troopers interviewed supported an understanding of protecting the investigation of a sexual abuse allegation by only sharing information with those charged with investigating the crime and the necessary supervisors to effectuate medical treatment. Policy DET-07 (page 7) states, "Staff shall not reveal any information related to a sexual assault to anyone other than to the extent necessary to make treatment and investigatory decisions." Staff stated they would be required to complete written documentation on all allegations in the form of an incident report. Reports would be forwarded to the station commander if on-site or the Duty Lieutenant and the State Police Detective Unit Investigator. As trained law enforcement officers, State Troopers understood the importance of protecting information during the investigation. Indicator (c). The Auditor reviewed materials on mandated reporting in Massachusetts for crimes against juveniles and vulnerable adults. The state website confirms that Police Officers are all mandated reporters, and the appropriate agency responsible for the protected population must be notified promptly. Interviews with the Station Commander and the PREA Coordinator confirmed how notifications are made to the proper agencies and how the State Police can charge an individual differently than in crimes against normal adults. The State Police has a unit dedicated to investigating the mistreatment of the elderly and other vulnerable adults. Indicator (d). The Divisional Commander Orders and Policy DET-07 requires staff to report all allegations, including third-party and anonymous sources, for investigation. Interviews with random staff confirm this expectation is understood. The Station Commander says they take all allegations seriously and will ensure a thorough investigation is completed, no matter the source of the complaint. He was able to explain how allegations can be made by third-party sources and the immediate response that would occur. The Auditor was able to file a complaint using the email address posted on the agency PREA brochures. Compliance Determination The Massachusetts State Police has in place the appropriate resources following a detainee report of sexual abuse, harassment, or retaliation to ensure an

	investigation occurs. The agency has policies in place that address the standard requirements. Massachusetts State Police have trained staff to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurs at South Boston Barracks. The Auditor has found the standard has been met. In coming to this conclusion, the Auditor considered interviews with random staff and the Station Commander. Interviews support individuals are trained in the policy and procedures to ensure all allegations are investigated. The staff was aware of the importance of experience reporting the incident, maintaining confidentiality to those with a need to know, and the duty to potentially report on a coworker whose action or inaction may have caused the abuse. The Auditor had to make the determination based on policy, interviews, and materials posted in the facility since there have been no investigations to review.

115.162	**Agency protection duties**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-06 Detainee Monitoring DET-07 Detainee Sexual Abuse and Sexual Harassment 16-DFS-016 17-DFS-034 Individuals interviewed/ observations made. Interview with the Agency Head Representative Interview with Station Commander Random Staff Indicator Summary determination. Indicator (a). The Division Commander's Order 16-DFS-016 clearly states the employee's obligation to protect individuals in custody who are at imminent risk of sexual abuse. The order states, “All Department employees shall take immediate action to protect a detainee from imminent sexual abuse.” Random staff were able

	to explain what they would do to eliminate the risk to the individual. The Station Commander and the Agency Head's representative were able to describe further the steps taken to eliminate risk, including the potential transfer of an individual to another holding facility if needed. The operational practice is reportedly to never have two detainees out of the lockup cell at a given time. As a short-term facility, Once a detainees is placed in a cell they do not leave the cell until a court appearance or bonded out. Agency policy only allows one individual out of the cell at a time with direct staff supervision making detainee-on-detainee sexual abuse almost impossible. The Auditor ensured staff understanding about protecting individuals not only from sexual assault but also sexual harassment through a scenario-based situation. Individual Trooper's answers consistently ensured safety from sexual harassment. They reported that they would recommend that the Lieutenant transfer one of the individuals if the harassing behaviors continued or leave one on the booking bench. As a state agency with multiple barracks, the agency has experience in moving detainees who need to be kept apart. Detainees are processed and taken to court if it is the day hours Monday- Friday. Detainees can be bonded out of custody at other times or they will be be transferred to county jails. This practice further limits the occasions when more than one individual is in the lockup area at a given time. If more than one detainee is in custody at South Boston , they can keep individuals in cells that are site and sound separated from each other. There were no cases in the past year where staff had to put into action steps to protect a detainee from sexual abuse. Compliance Determination The Massachusetts State Police policy DET-07 speaks to the commitment to protecting detainees' safety. "The safety and well-being of members and detainees is the Department's paramount concern and shall guide the application of this policy. Continuous supervision is essential for maintaining and ensuring the safety and welfare of both detainees in custody and the members responsible for monitoring them. To ensure the safety of all, necessary precautions shall be taken whenever a person is taken into custody." The Auditor finds the standard to have been met. The South Boston Barracks staff have been appropriately trained on how to handle imminent risk situations. Though detainees are not in physical contact, the Troopers report they would take strides to limit any verbal abuse from one detainee to another, even if it meant moving one of the detainees to another barracks. They are aware of the importance of responding immediately and their options to resolve the situation. The South Boston Barracks does not often have large numbers of detainees at a time, so there is an ability to keep individuals separated in the environment. Interviews with the Massachusetts State Police Colonel's representative and the Station Commander confirm the state's ability to move detainees if a significant conflict arises.

115.163	**Reporting to other confinement facilities**

	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Sexual Assault and Sexual Harassment DET-07A Sexual Abuse and Sexual Harassment Investigations, Review and Data Collections Individuals interviewed/ observations made. Interview with the Colonel of the Massachusetts State Police’s representative Interview with Station Commander PREA Coordinator Indicator Summary determination Indicator (a). Policy DET-07 Sexual Assault and Sexual Harassment addresses the standard's requirements on notification to outside agencies where abuse has occurred previously. The policy states on page 11, "A member or employee who receives an allegation that a detainee was sexually abused and/or sexually harassed while confined at a non-Department facility, shall notify through channels: The Colonel/Superintendent; and the Department PREA Coordinator. Colonel/Superintendent shall 1 Notify the head of the facility or appropriate office of the agency where the alleged abuse occurred; 2 Make notification, as soon as possible, but no later than seventy-two (72) hours after receiving the allegation; and 3 Document such notification.” In the past year, there were no allegations that a detainee who was booked at the South Boston Barracks had reported being abused at another correctional setting. The Auditor spoke with the Trooper and the Court Officers who will transport prisoners to court about what they would do if a detainee reported a concern about a particular county jail they may be remanded to if the court does not release them. All staff knew that it would be reported up the chain of command to the Troop Commander and then to the headquarters. The PREA Coordinator also confirmed he would be notified of any such allegations.

	Indicator (b). As noted in Indicator a), the policy states notifications must be made within seventy-two (72) hours after receiving an allegation. Interviews with the Massachusetts State Police Colonel's representative, PREA Coordinator, and the Station Commander confirmed time frame expectations. The Station Commander confirmed that South Boston Barracks received no abuse allegations regarding a crime at another facility in the past year. Indicator (c). If notifications are made, the policy as shown in indicator a), requires such notifications to be documented. The Colonel's representative confirmed that there would be both verbal and written documentation of the notification. Indicator (d). In the interview with the Massachusetts State Police, the Colonel's representative confirmed the State Police's commitment to ensuring all allegations of sexual misconduct will be investigated. There were no allegations received from other correctional institutions of past sexual abuse occurring at the South Boston Barracks. The agency would utilize its state police detective unit to complete criminal investigations. The State Police internal affairs staff would complete a corresponding administrative investigation. The utilization of this process ensures the impartiality of the investigative process. The Agency has an Office of Professional Integrity and Accountability, which can investigate staff actions administratively. Compliance Determination South Boston Barracks has not reportedly received any complaints from a detainee about abuse at another correctional setting. The Station Commander reports that he has also not received any complaints from other institutions about any alleged sexual assaults or sexual harassment that has occurred at South Boston Barracks. Interviews with the Massachusetts State Police Colonel's representative, the Station Commander, and the state PREA Coordinator all confirm an understanding of the standard expectations. The Auditor also reviewed the policy to ensure compliance with the standard requirement. The standard is compliant based on interviews, policy, and absent prior complaints requiring notification or investigation.

115.164	**Staff first responder duties**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed.

	South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07A Detainee Sexual Abuse and Sexual Harassment Investigations INV-01 Criminal Investigations PREA Training Bulletins PREA Training PowerPoints Individuals interviewed/ observations made. Interview with Random Staff Indicator Summary determination. Indicator (a). The Massachusetts State Police policy DET-07 Detainee Sexual Abuse and Sexual Harassment defines the steps of the first responding Trooper to an incident of sexual abuse. Page 4 of the policy states the requirements of the first responder: “The first law enforcement member to respond to a report of a sexual assault or sexual harassment shall: • Immediately separate the alleged victim and abuser; • Take immediate action to protect the detainee from a substantial risk of imminent sexual abuse; • Keep the detainee either with the officer or in the cell and under surveillance until a supervisor can investigate and determine any further actions to take to protect the detainee; • Follow uniform evidence protocol that maximizes the potential for obtaining usable physical evidence including preserving and protecting any crime scene until appropriate steps can be taken to collect any evidence; • 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 action(s) that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; • Offer all victims access to forensic medical examinations performed by a Sexual Assault Forensic Examiner (SAFE), Sexual Assault Nurse Examiners (SANEs), or qualified medical practitioner without financial cost to the victim, if evidentiarily or medically appropriate;

	• If the detainee is transported for a forensic examination to an outside hospital that offers victim advocacy services, ensure that the detainee be permitted to use such services to the extent available, consistent with security needs; • Document all efforts to provide a SAFE or medical practitioner; • Attempt to make a victim advocate from a rape crisis center or other facilities available to the detainee if transported to a hospital or other medical facility consistent with security needs; and • Accompany the victim through the forensic medical examination process and interviews.” The Auditor also reviewed the training materials and completed random staff interviews to review the standard element. South Boston Barracks has had zero incidents of sexual assault, requiring staff to act as first responders. All Troopers interviewed were able to describe the steps they would take as first responders consistent with the policy and standard expectations. The Troopers reported that the expected response is immediate, and they are responsible for protecting evidence, including locking down the area where the alleged assault occurred. They also knew it was important to encourage the detainee not to do anything that would destroy evidence that may be on the victim or aggressor's body. There were no cases at the South Boston Barracks where staff had to act as first responders to a sexual assault allegation. Indicator (b). Policy DET-07 further addresses the expected actions if the first responder is not a law enforcement officer. It states, “If the first staff responder is not a law enforcement staff member, that responder shall: Request that the alleged victim not take any actions that could destroy physical evidence; and Immediately notify law enforcement staff.” Absent any allegations in which a Trooper acted as a first responder to a sexual assault claim, the Auditor considered the random staff interviews to determine compliance. All staff interviewed explained the steps they would take to keep a victim safe, protect evidence, access treatment, and make proper notifications. The South Boston barracks bar any non-law enforcement officer to be in the area with a detainee. Compliance Determination The Massachusetts State Police have appropriately trained South Boston Barracks staff to respond as first responders. The agency has a policy language consistent with the standard’s expectations. Absent an individual who had acted as a first responder and a corresponding investigation file to review, the Auditor had to rely on other materials to determine compliance. The Auditor reviewed the agency’s training materials and training bulletins and utilized random staff interviews to determine compliance. Random staff were able to lay out their responsibilities as

	first responders to an allegation of sexual abuse. The staff described how they would separate the individuals, preserve the crime scene, and maintain physical evidence. They knew to request that the alleged victim and perpetrator take no action that would destroy evidence, including not eating, drinking, cleaning, or using the bathroom, if it can be prevented.

115.165	**Coordinated response**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07A Detainee Sexual Abuse and Sexual Harassment MA General Laws – 41.97D Sexual Abuse Information Confidentiality Individuals interviewed/ observations made. Interview with Station Commander Indicator Summary determination. Indicator (a). The agency policy has put forth an agency-wide coordinated response plan for incidents of sexual abuse and sexual harassment cases. Policy DET-07 Detainee Sexual Abuse and Sexual Harassment, pages 6 to 8, defines the coordinated efforts to respond to the allegations. The policy addresses staff responsibilities at eight different levels of the agency, from the first responder, the supervisor staff at the barracks, the station commander, the troop leadership, and the SPDU investigators. The Document also sets the requirement for reporting initial findings to the Field Services Divisional Commander who will make recommendations to the Colonel/Superintendent to prevent reoccurrence. An interview with the Troopers and Station Commander supports understanding of how to implement the coordinated response plan. The Auditor recommended including information on what local hospitals with SANEs and contact information for advocacy services should be listed in the local barracks. The Massachusetts State Police does not employ medical or mental health staff. All victims will be seen at the local hospital. The Policy requires the Desk Officer to educate the detainee on the

	role of a sexual assault advocate and the importance of sending them to a hospital for a forensic exam with a Sexual Assault Nurse Examiner. All officers have access to the coordinated action plan covered in the policy through the agency's common-use files in Power DMS. A PREA binder, including the response plan, was visible in the barracks desk area. Indicator (b). The Coordinated Response Plan charges the station’s Duty Officer to “In the event that the victim is transferred from the lockup to a jail, prison, or medical facility, ensure that the receiving facility is informed of the incident and the victim’s potential need for medical or social services unless the victim requests otherwise.”. There were no instances where South Boston Barracks staff had to transfer a victim to the local hospital for a sexual assault examination due to an incident in the State Police's custody. Nothing in the state laws reviewed by the Auditor prevented the notification of the hospital. Compliance Determination The Massachusetts State Police has put in place a coordinated plan that can help staff ensure a consistent process to respond to incidents of sexual assault. The Auditor was provided with documentation that specifically speaks to the confidentiality of all victims. The Auditor reviewed the policy and spoke with staff who were aware of the plan and their respective duties. The information provided and interviews support a determination of compliance with this standard. Absent an actual case the Auditor had to rely on the policy and staff’s understanding of their responsibilities in responding to incidents of sexual abuse or sexual harassment.

115.166	**Preservation of ability to protect detainees from contact with abusers**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire Article 6 – Disciplinary Procedures and Temporary Leave Collective Bargaining Agreement with the State Police Association of Massachusetts Individuals interviewed/ observations made. Interview with the representative of the Colonel of the Massachusetts State Police

	Interview with Station Commander Indicator Summary determination. Indicator (a). The Massachusetts State Police can protect detainees from contact with abusers. The State Police can remove an employee from work during an investigation into an allegation of sexual abuse. As stated previously, the agency can move a detainee to other barracks or a county jail to further protect the individual from contact with an abusive staff or retaliation. Article 6 of Department Rules and Regulations states, “A Troop/Section/Unit Commanding Officer, through channels, may recommend to a Division Commander that a member who: Is the subject of an internal investigation; Be placed on Administrative Leave with pay for a period NOT to exceed five work days.” The policy goes on to describe the process required to extend such leave if determined necessary through a Duty Status Hearing. The Auditor reviewed the employment contracts that cover the staff working at the South Boston Barracks. The representative of the Colonel of the Massachusetts State Police and the Station Commander confirm the ability to put employees out of work on administrative leave. The South Boston Barracks Commander reports that there were no instances in this audit cycle that an employee at South Boston Barracks has been put out of work to protect an alleged victim of sexual assault from contact. Indicator (b). The Auditor is not required to review this indicator. Compliance Determination The provided contractual documents and policies support the ability to protect victims from their abuser if staff are the allegation's subject. The interviews support the Massachusetts State Police’s ability to place an employee out of work who is the subject of an allegation of sexual abuse of a detainee. The Auditor finds the standard to be compliant based on the stated factors.

115.167	**Agency protection against retaliation**

	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment 17-DFS-034 Individuals interviewed/ observations made. Interview with a representative of the Colonel of Massachusetts State Police Interview with Station Commander Indicator Summary determination. Indicator (a). The Massachusetts State Police has designated the responsibility of monitoring the retaliation of individuals who report or cooperate with investigations of sexual abuse or sexual harassment of a detainee to the Station Commander. Policy DET-07 Detainee Sexual Abuse and Sexual Harassment (page 11) states, “Each Barracks Station Commander shall monitor all employee(s) who report sexual abuse or sexual harassment to ensure that the employee(s) are not subject to retaliatory actions by other employees and shall document the same.” Detainees are rarely held for more than one day in a lockup. It would be unlikely that a detainee victim would remain in the facility for any significant period. The Station Commander supports close supervision of the victim until custody can be turned over to the correctional or court systems. Agency Directive 17-DSF-034 requires the Station Commander to assign an individual to monitor the detainee while they remain in custody. There have been no situations requiring the monitoring of detainees who reported sexual abuse or harassment. Indicator (b). The Massachusetts State Police has multiple measures in place to protect victims and provide emotional support to staff who fear retaliation for reporting or cooperating in an investigation of a coworker’s sexual assault or sexual harassment of a detainee. Policy DET-07 states, “Supervisors who receive reports of retaliation shall employ multiple protection measures which may include: • • Cell changes or transfer of detainee victims or abusers • • Removal of Alleged staff or detainee from contact with victims:

	• • Providing emotional support services for detainees or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations and/or • • Closely monitoring detainee or staff retaliation.” Interviews with the Massachusetts State Police Colonel’s representative and the South Boston Barracks Commander confirm the steps outlined in the policy would be put into action if there was a concern about potential retaliatory actions. The Station Commander reports that the potential victims would be taken to the hospital, and if they had to remain in custody, they would be transferred to another station or a county jail instead of returning to where the assault was alleged to have occurred. Indicator (c). As noted in Indicator (a), the Station Commander is responsible for monitoring detainee victims and staff who fear retaliation. The station commander described what he would consider if a staff member were being retaliated against. He was able to explain that staff would be spoken with periodically, and he would review duty assignments and performance reviews. As noted previously, Detainees are rarely in custody for more than a few hours. Indicator (d) As noted in Indicator (a), the Massachusetts State Police has in place several options to support any individual who cooperates in the investigation of the sexual abuse of a detainee. Interviews with the Massachusetts State Police Colonel’s representative and the Station Commander show they have sufficient resources to protect any individual who fears retaliation. Indicator (e). The Auditor is not required to consider this provision. Compliance Determination The Massachusetts State Police leadership believes they have sufficient resources to protect detainee victims, staff reporters, and staff who cooperate in sexual misconduct investigations. The Massachusetts State Police Colonel’s representative and the station commander were able to explain the multiple steps in place that could protect both staff and detainees from retaliation. The Agency has a policy outlining the expectations of this standard, and the interviewees were descriptive on how the Station Commander would complete the monitoring and documentation. Since the facility has not had an incident that required retaliation monitoring, the Auditor had to rely on interviews and policy statements to determine compliance.

115.171	**Criminal and administrative agency investigations**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire ADM 14 Personnel Investigation AMD 15 Internal Affairs ADM 18 Anti-Harassment, Sexual Harassment, and Discrimination PREA Audit Report, ECU-D001 Evidence Handling and Submission Manual ECU-D006 Sexual Assault Evidence Collection Kit INV-01 Criminal Investigations DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07A Detainee Sexual Abuse and Sexual Harassment (investigations) State of Massachusetts Record Retention Rules Individuals interviewed/ observations made. Interview with Investigator Interview with PREA Coordinator Interview with Massachusetts State Police Colonel’s representative. Interview with Random Troopers Massachusetts State Police Officer responsible for receiving third-party complaints Posting in Facility Indicator Summary determination. Indicator (a). The Massachusetts State Police is responsible for investigating all criminal and administrative investigations at its lockup facilities. As the state’s law enforcement agency, the Massachusetts State Police has several policies that direct staff in investigations in addition to the ones used here. The policies include topics on Internal affairs investigations, evidence collection and storage, Personnel Investigations, and crime scene evidence handling, including cases of sexual assault. MSP Policy DET-07 states, “The Department shall ensure that an administrative or criminal investigation is completed for all allegations of detainee sexual abuse and/or sexual harassment.”. The Investigator confirmed that an individual with training in investigating sexual abuse claims in correctional settings

	is assigned to each district and is on call to respond to allegations. The agency has 72 officers trained in completing the investigation in the lockup, of which 21 are authorized to conduct Internal Affairs Investigations if the accused is a Trooper. All troopers interviewed were aware they must report all allegations, including those from third parties or anonymous sources. The Massachusetts State Police have set up a citizen complaint line where third-party allegations can be filed. The Auditor tested the reporting process by calling the number located on the Massachusetts State Police website and received a return call. The same number is also posted in the lockup facilities. Though each officer in the State Police is trained to investigate crime, the agency has put in place steps to ensure an unbiased review by investigators from outside the barrack's command structure. Indicator (b). As stated in 115.134, the Massachusetts State Police has trained 72 officers in Investigations of Sexual abuse claims in correctional settings. The training was a collaborative process involving other state agencies, including the District Attorney's Office and the Department of Correction. Indicator (c). There have been no allegations of sexual abuse at South Boston Barracks. As a result, the Auditor had to rely on the training materials presented in 115.134 and the Investigator's related experience in completing sexual assault investigations in other settings outside the Massachusetts State Police. The investigator described the steps taken to preserve and collect evidence. He reports that he would interview all individuals present as part of the investigation, review written statements and historical complaints, and review any available electronic surveillance data. As noted above, some several policies and documents define the investigative process. Documents reviewed by the Auditor included general investigation, internal affairs investigations, Personnel Investigations, and sexual assault investigative protocols. Indicator (d). The Investigators assigned to complete allegations at Massachusetts State Police barracks work out of the District Attorney's offices. According to the Investigator interviewed, there would be close communication with the prosecutorial authorities throughout the case, including if compelled interviews would be required. Indicator (e). The investigator confirmed that the individual's status as a detainee or Trooper would not determine the credibility of the statements. He reports that all evidence is reviewed in addition to interview statements for consistency. The Auditor also confirmed that polygraphs or other truth-telling devices are not required of a detainee to proceed with the investigation.

Indicator (f). There have been no allegations of sexual misconduct that would have resulted in an administrative investigation at South Boston Barracks. Random staff interviewed knew that they must report if a co-worker's action or inaction leads to a sexual abuse incident. The Massachusetts State Police Colonel's representative and the Investigator interviewed both supported the idea that an administrative investigation would be completed whenever a staff member was involved. The Massachusetts State Police Colonel's representative reports a preliminary report on the investigation status within four days of the allegation. Each administrative investigation would include a final written report, which would then be reviewed through the Massachusetts State Police command structure, including the agency's PREA Coordinator, Detective Captain.

Indicator (g). The Criminal Investigator reported that he would document his findings to the agency administration and the prosecuting authorities in a written report. He confirmed the report would thoroughly describe the physical, testimonial, and documentary evidence, including logs and electronic evidence. The Auditor reviewed several policies and procedures the state has in place to define the investigative process and written reports.

Indicator (h). As noted in Indicator (f), the administrative investigations would result in a written report with a determination based on the evidence presented and the author's conclusion. The Auditor confirmed that Administrative Investigations would also seek to determine if staff actions or inaction played any role in the abuse.

Indicator (I). The Agency policy, as stated in DET-07A is, "Retain all written reports pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment in accordance with the Commonwealth's retention schedule or for as long as the alleged abuser is incarcerated or employed by the agency, plus five years, whichever is longer." The Investigator and state PREA Coordinator are both aware of the need to retain all records for this period at a minimum.

Indicator (j). The Auditor confirmed that the detainee leaving custody or the staff person leaving employment would not cause an investigation to be halted. Given the short time detainees are in custody, the Auditor was assured the same investigative steps would be taken even if the individual reported the PREA complaint after being released. State Police Detective Unit (SPDU) can investigate crimes throughout the state and will travel wherever needed to interview individual victims, alleged perpetrators of the crime, or witnesses.

	Indicator (k). The Auditor is not required to audit this provision. Indicator (l). Massachusetts State Police is responsible for both criminal and administrative investigations at its facilities. Administrative Investigations are completed by the Office of Professional Integrity and Accountability (OPIA), while SPDU will complete criminal investigations. Compliance Determination The Massachusetts State Police have sufficient resources available to ensure that all allegations are investigated promptly and thoroughly. The agency has a large pool of trained investigators who can complete investigations in the state's lockups. However, there were no case files to review at South Boston Barracks. The agency has sufficient law enforcement policies that specify the process for investigating sexual abuse allegations. The Auditor reviewed several state policies and documents from the state crime lab that direct investigators throughout the investigation. Absent an actual investigation to review, the Auditor determined compliance based on policy, documentation, training records from 115.134, and interviews.

115.172	**Evidentiary standard for administrative investigations**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire ADM-14 Personnel Investigations ADM-15 Internal Affairs Article 5 Article 6 DET-07 Detainee Sexual Abuse and Sexual Harassment Evidence Collection Standards for Massachusetts Individuals interviewed/ observations made.

	Interview with Investigator Interview with Massachusetts State Police Colonel’s representative Indicator Summary determination. Indicator (a). The Criminal Investigator confirmed a parallel administrative investigation undertaken by the agency’s Office of Professional Integrity and Accountability (OPIA) if the allegation involves a staff member. He reported if, in his investigation of the criminal case, he believes there is evidence that staff actions or inactions played a part in the abuse, that information will be provided to the individual completing the administrative investigation. The investigator confirmed that there is no higher standard for administrative investigation than the preponderance of the evidence. Agency policy ADM-14 states a sustained allegation is one in which “The complaint or incident is supported by sufficient evidence to prove employee misconduct.” Article 5 Sets forth rules of conduct for members of the Massachusetts State Police, including following state and federal laws and agency policies and directives. Article 6 sets forth the ability to place a member out on administrative leave during an investigation. Compliance Determination The Massachusetts State Police does not apply a higher standard than a preponderance of evidence in administrative investigations. Administrative Investigations policies define serious misconduct, including criminal conduct and civil rights violations, and how they are determined. Policies and interviews were used to determine compliance. The agency has separately trained investigators to complete criminal and administrative investigations. The Office of Professional Integrity and Accountability (OPIA) will complete administrative investigations. The staff members have been trained in the federal requirements of the Prison Rape Elimination Act, including the threshold to sustain investigations of sexual abuse is based on the preponderance of the evidence.

115.176	**Disciplinary sanctions for staff**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment

	ADM 15 Internal Affairs Investigations ADM 14 Personnel Investigations ADM 18 Unlawful Harassment, Sexual Harassment and Discrimination ADM-29 Workplace Violence Article 5 Rules of Conduct Article 6 Disciplinary Process and Temporary Leave Appendix A Discipline Guidelines Massachusetts Peace Officer Standards and Training (POST) Individuals interviewed/ observations made. Interview with Massachusetts State Police Colonel’s representative Interview with PREA Coordinator Indicator Summary determination. Indicator (a). Massachusetts State Police Policy DET-07 states, “Any member or employee determined to have engaged in sexual abuse or sexual harassment of detainees as defined by the policy shall be subject to discipline. The presumptive sanction for having engaged in prohibited behavior under this policy is termination.” The agency’s Article 5 Rules of Conduct describes the professional expectations of members of the department. “Members shall maintain a level of conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Members shall not participate in any act which impairs their ability to perform as members of the State Police or causes the State Police to be brought into disrepute”. No individuals at South Boston Barracks have been disciplined for engaging in sexual misconduct with a detainee. The Agency has several policies that direct staff investigations and discipline. The Auditor reviewed information from the POST Commission. The POST Commission was part of the 2020 Police Reform Act in Massachusetts. The POST Commission is empowered to remove an individual's certification as a law enforcement individual in the state. The Document provided confirmed the POST Commission will look at sexual misconduct by officers and confirms that an individual “in custody is incapable of giving consent for a sexual act with a law enforcement officer.” Indicator (b). As noted in Indicator (a), staff who engage in the sexual abuse of a detainee will be disciplined, and the presumptive sanction will be termination. The

	discipline policy defines sexual abuse as a Class A violation reserved for discipline that can cause termination on the first offense. The Massachusetts State Police Colonel’s representative confirmed that termination would be the State Police's presumptive action for individuals who sexually abuse detainees, and criminal charges would be sought. The Article 5 Document clearly defines various elements where staff can be terminated for violation of state laws and agency policy and acts abusing their authority. The POST Commission document further supports that all sexual contact with individuals in custody is abuse since there is no consent. Indicator (c). The Massachusetts State Police have a range of disciplines that can be imposed for staff who engage in conduct that would not be considered criminal. The Auditor reviewed the policy and confirmed that no individuals had been disciplined for such behavior with the Station Commander. Discipline ranges from written reprimands to various length suspensions and up to termination if there has been another prior discipline. No individuals in the Barracks were issued other forms of discipline for sexual misconduct that was not criminal in behavior towards a detainee. The Agency policy ADM 18 Unlawful Harassment, Sexual Harassment, and Discrimination defines sexual harassment and discrimination as including actions toward someone based on gender identity, expression, or sexual orientation. Indicator (c). The Massachusetts State Police have a range of disciplines that can be imposed for staff who engage in conduct that would not be considered criminal. The Auditor reviewed the policy and confirmed that no individuals had been disciplined for such behavior with the Station Commander. Discipline ranges from written reprimands to various length suspensions and up to termination if there has been another prior discipline. No individuals in the Barracks were issued other forms of discipline for sexual misconduct that was not criminal in behavior towards a detainee. The Agency policy ADM 18 Unlawful Harassment, Sexual Harassment, and Discrimination defines sexual harassment and discrimination as including actions toward someone based on gender identity, expression, or sexual orientation. Article 6 provides an in-depth review of the process the state undergoes in making a discipline decision on any Trooper’s conduct. Indicator (d). Massachusetts State Police is a law enforcement agency. The department does not employ individuals with medical or mental health licenses. Compliance Determination The South Boston Barracks has not had any discipline of its staff for violating the agency's zero-tolerance policy. Staff members understood the consequences for individuals violating the agency's PREA Policy. All staff confirmed an obligation to report such behavior and the responsibility to report a fellow Trooper’s actions or inactions that may have led to the sexual abuse. Interviews with the agency’s PREA Coordinator and the Massachusetts State Police Colonel’s representative confirmed the agency's intention to pursue criminal and disciplinary actions against staff who engage in sexual misconduct with detainees. The Auditor also considered information from the PREA Coordinator on the extensive review all administrative

	and criminal investigations undergo before the agency sits a Trial Board to hearing review the conduct and make recommendations on discipline to the Superintendent before the Colonel authorizes any sanction.

115.177	**Corrective action for contractors and volunteers**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07A Detainee Sexual Abuse and Sexual Harassment INV-01 Criminal Investigations Adm-18 Unlawful Harassment Sexual Harassment and Discrimination Individuals interviewed/ observations made. Interview with Station Commander Observations during the site visit Indicator Summary determination. Indicator (a). The South Boston Barracks does not employ any contractors or volunteers who have contact with detainees. The Massachusetts State Police procedures do not allow civilians to have any contact with any individual in custody. Repairs or maintenance of the booking area or cell block can only occur when no detainees are present. Agency policy requires all claims of sexual abuse will be investigated. The facility would bar an individual’s access if there was a claim of sexual abuse by a contractor or volunteer. A victim's maximum length of stay would be three days on a holiday weekend at the South Boston Barracks temporary lockup. As a law enforcement agency, the Massachusetts State Police Division of Investigative Services would respond to complete the criminal investigation in conjunction with the Attorney General’s Office. The interview with the Investigator confirmed all cases would be investigated, including if volunteers or contractors had access to Detainees. The state prosecutes individuals, and the appropriate certification board is notified if the individual is licensed. The Auditor reviewed several policies that would apply if the barracks had volunteers or contractors.

	DET-07, the agency PREA policy, states, “In the event that a contractor or volunteer has engaged in sexual abuse or has been convicted or adjudicated of having engaged in sexual abuse, they shall have no access or contact with detainees in Department custody.” The policy language also requires that contractors be educated on detainee rights related to the agency’s zero-tolerance stance toward sexual abuse or harassment of detainees. Indicator (b). Indicator (a) noted that South Boston Barracks does not employ volunteers or contractors whose services would be in contact with detainees. Compliance Determination The Auditor finds the standard is compliant. The Massachusetts State Police has in place appropriate policies that include the education of contractors and volunteers if its current stance on no contact was to change. If an outside contractor was needed to work on plumbing, cameras, etc., in the lockup area, it would only occur when the lockup was reportedly empty. Compliance is based on interviews with Troopers and the Station Commander and observations made on-site.

115.178	**Referral for prosecution for detainee-on-detainee sexual abuse**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire INV-01 Criminal Investigations DET-07A Detainee Sexual Abuse and Sexual Harassment Investigations, Review, and Data Collection Individuals interviewed/ observations made. Interview with Criminal Investigator Interview with PREA Coordinator Interview with Massachusetts State Police Colonel’s representative

	Indicator Summary determination. Indicator (a) Once an allegation of sexual abuse has occurred to an individual in Massachusetts State Police custody, a trained officer in completing criminal investigations in correctional settings will be notified. The criminal investigator, who is normally a detective assigned to the county district attorney's office, interviewed supported the fact that they are on call and would report immediately to the scene. At that point, they are in charge of the investigation. The investigator will determine if probable cause exists after a review of the evidence, including the testimony of the victim and witness. If it is determined that a crime has probably occurred, the case is referred for prosecution. Policy DET-07A Detainee Sexual Abuse and Sexual Harassment Investigations, Review, and Data Collection, states, "When there is probable cause to believe that a detainee or a Department employee had sexual contact with another detainee in a holding cell, the Department will make a criminal referral to the District Attorney's Office of jurisdiction or to the Attorney General's Office." There were no allegations in the past year where a probable cause determination was required at South Boston Barracks as part of an investigation of sexual misconduct. The operational procedures in Massachusetts State Police Barracks prohibit more than one individual out of the cell at a time. Since all individuals are held in single-person cells, the capacity for sexual assault of one detainee by another is essentially eliminated. The Troopers report having multiple individuals in custody at a given time is rare. Indicator (b) This indicator does not apply to the Massachusetts State Police, who are responsible for investigating both criminally and administratively any allegation of sexual abuse of a detainee in their custody. The investigation is performed by Troopers Assigned to the District Attorney's Office who are trained to complete investigations in correctional settings. These individuals are assigned to work out of the District Attorney's office, so they are separate from the local barracks command structure, further supporting the investigative process's impartiality. Indicator (c) The Auditor is not required to review this provision Compliance Determination Since there has been no allegation of sexual abuse of an individual at South Boston Barracks, the Auditor had to rely on policy and interviews to determine compliance. The Massachusetts State Police have in place the appropriate steps to ensure all allegations of Sexual Abuse or Sexual harassment are investigated. The investigator interviewed described the steps taken in an investigation, including the referral for prosecution. The Massachusetts State Police Colonel's representative also outlined

	for the Auditor how once probable cause determination is made, the Investigator will work with either the District Attorney or the Massachusetts Attorney General's office to ensure the case is referred for prosecution. Compliance is based on interviews, policies in place, and observations on the tour.

115.182	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	82 Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07A Detainee Sexual Abuse and Sexual Harassment Investigations, Review, and Data Collection DET-06 Detainee Monitoring Massachusetts Victims of Violent Crime Compensation | Mass.gov 2017 Sexual Assault Law Enforcement Guidelines Individuals interviewed/ observations made. Interview with Station Commander Interview with Troopers Interview with Criminal Investigator Indicator Summary determination. Indicator (a). The Massachusetts State Police have several policies that direct Troopers to ensure that victims of sexual abuse are provided unimpeded access to care. The Troopers are directed in DET-07 to "Offer all victims access to forensic medical examinations performed by a Sexual Assault Forensic Examiner (SAFE), Sexual Assault Nurse Examiners (SANEs) or qualified medical practitioner without financial cost to the victim, if evidentiarily or medically appropriate." Troopers report

	that they would call for Emergency Medical Technicians (EMT) to assess the detainee and transport the potential victim to a local hospital in any medical situation. The Massachusetts state government website has a list of all hospitals with access to SAFE/SANE-trained staff. If the allegation occurs when the Station Commander is not present, the Troop Duty Officer will be notified. The Detainee Monitoring policy (DET-06) also supports that individuals needing medical care are to be transported by EMTs to the local hospital for care. “When a member observes or is informed by a detainee that they are experiencing a medical problem that requires immediate medical treatment, the member shall request an ambulance. If unsure as to whether or not a detainee requires immediate medical treatment, members shall request assistance from trained medical personnel. Pending the arrival of EMS, members should provide basic First Aid if it is an emergency or appears serious. When possible, an additional member should be present, or notified to return to the barracks, prior to the detainee being removed for the administration of first aid.” The Investigator also reports that he would require victims of sexual abuse taken to a hospital with a SAFE/SANE trained staff on duty in his response. Interviews with Troopers confirmed they understood the need to preserve evidence, calling for an EMT to allow the victim to be transferred for a forensic exam by a Sexual Assault Nurse Examiner (SANE). Indicator (b). Massachusetts State Police policy DET-07 states, “Offer all victims access to forensic medical examinations performed by a Sexual Assault Forensic Examiner (SAFE), Sexual Assault Nurse Examiners (SANEs) or qualified medical practitioner without financial cost to the victim, if evidentiarily or medically appropriate.”. The Massachusetts Dept of Public Health website confirms there is no cost for the treatment of victims of sexual assault. The state Victim Compensation Fund provides the funds. The statement includes, “If a victim does not have insurance or if their existing coverage does not cover any or all costs of the medical exam, the total amount (including the patient’s co-payments and/or deductibles), should be submitted to the VCAD.” The 2017 Sexual Abuse Law Enforcement Guideline also confirms on pages 63 and 64 that there is no cost for forensic examinations and follow-up treatment cost. Compliance Determination The Auditor has determined the standard has been met. The Massachusetts State Police have policies and procedures in place to support compliance. Absent an allegation, the Auditor relied on the Troopers' knowledge of how they would handle getting a victim's medical treatment. The Auditor confirmed that forensic exam costs, consistent with Massachusetts State Police policy, would not be the victim's responsibility through other state agency websites. Standard compliance determination was based on interviews and materials reviewed.

115.186	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07A Detainee Sexual Abuse and Sexual Harassment Investigations, Review, and Data Collection PREA Individuals interviewed/ observations. Interviews with Massachusetts State Police Colonel’s representative Interview with PREA Coordinator Interview with facility Station Commander Indicator Summary Determination Indicator (a) Policy DET-07A Detainee Sexual Abuse and Sexual Harassment Investigations, Review, and Data Collection (page3) sets forth the requirement of an incident review on all cases of sexual misconduct unless the investigation has determined the allegation was unfounded. The policy states, “The PREA Coordinator in consultation with the incident review team, which shall include the Station Commander, PREA Coordinator, and other pertinent individuals, shall conduct a sexual abuse incident review at the conclusion of every investigation into allegations of sexual abuse of a detainee in Department custody.” The Auditor was unable to review any Incident Review documentation as South Boston Barracks has had no cases of Sexual Abuse in the past three years. The Auditor discussed the review's required elements with the Agency PREA Coordinator and the Station Commander. Indicator (b) The policy DET-07A requires, “Such review shall ordinarily occur within 30 days of the conclusion of the investigation such review will be conducted even when the allegation has not been substantiated unless the allegation has been determined to be unfounded.” Absent an incident to review, the Auditor can only base findings on policy and staff knowledge of the timeliness of the review required.

	Indicator (c) As noted in Indicator (a), Massachusetts State Police policy DET-07A sets forth the requirement of a multidisciplinary team that would “include both the Station Commander and the PREA Coordinator and other pertinent individuals” in the investigation. Discussions with the PREA Coordinator confirmed that the agency routinely completes critical reviews of other significant incidents. The agency has developed a questionnaire to document the committee's findings. The form goes beyond the standard questions asking 19 total questions. Indicator (d) The elements described in this indicator are all covered in policy DET-07A. which states, “The review will: • Include input from supervisors and investigators as necessary; • consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual contact; • consider whether the incident or allegation was motivated by bias or gang affiliation; • examine the area where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; • assess the adequacy of staffing levels in the area during different shifts; And • assess whether monitoring technologies should be diploid or augmented to supplement supervision by staff. “ Absent a case to review, the Auditor relied on policy and interviews. A review of the form confirmed all the required elements are in the review form. Indicator (e) Interviews with the Station Commander, The PREA Coordinator, and the Massachusetts State Police Colonel’s representative support systems are in place to ensure information from the review can be used to make changes in a facility or agency when needed. Compliance Determination The Massachusetts State Police policy requires the completion of the steps outlined in this standard. The policy outlines the steps to provide for a critical incident review on all PREA sexual assault cases. The policy requires what information needs to be part of the incident review with language directly from the standard. Absent an incident review, compliance was determined based on policy language, documentation, and staff understanding of the requirements.

115.187	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07A Detainee Sexual Abuse and Sexual Harassment Investigation, Review, and Data Collection Barracks Annual Reporting form Individuals interviewed/ observations made. Interviews with the PREA Coordinator Interviews with Massachusetts State Police Colonel’s representative Indicator Summary Determination Indicator (a) The agency collects data consistent with the policy definitions developed to be consistent with the standard. Consistent with Policy DET-07A, the Massachusetts State Police collects accurate, uniform data on every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The agency aggregates the incident-based sexual abuse data at least annually. The Auditor reviewed the state’s past PREA annual reports, which show consistent information from each of the agency’s lockup facilities. The Massachusetts State Police Colonel’s representative confirmed that data would be used to improve the agency's ongoing effort to protect, detect, and respond to sexual abuse and sexual harassment incidents. There were no incidents in the past year at any of the Massachusetts Barracks. Indicator (b) The agency completes an annual report with aggregate data from the South Boston Barracks. The Auditor was able to see the data form used by Station Commanders to report data uniformly across the system. The Auditor also reviewed the agency’s annual report, which is published on the state website. Indicator (c) The Auditor confirmed the various elements of the Survey of Sexual Violence are maintained and could be used to complete the report if requested by the Department of Justice. There has been no request by the Department of Justice for a Survey of Sexual Violence reports at South Boston Barracks in the past three

	years. Interviews with the facility Station Commander and the state PREA Coordinator confirmed the required elements were tracked. Indicator (d) The agency has rules on the retention of records at all Massachusetts State Police facilities. Copies of criminal files involving detainees on detainee contact will be retained locally, with a copy sent to the agency PREA Coordinator. The PREA Coordinator would receive all incident outcomes and ensure data accuracy. Indicator (e) The Massachusetts State Police has access to data from county jail facilities with whom they have mutual aid agreements instead of contracts. The facilities are required to be PREA-compliant for the State Police to use them. The detainee is only the State Police's responsibility until they are presented in court (generally under 24 hours (weekdays) to 72 hours (weekends). If the detainee is remanded, they become the county Jail's custodial responsibility. Indicator (f) The Department of Justice has not requested PREA-related information from the South Boston Barracks in the past year. Compliance Determination: The Auditor has found the standard to be compliant. The Massachusetts State Police has a system in place for collecting uniform data that could be used to complete the Survey of Sexual Violence. The Massachusetts State Police annual PREA report outlines the efforts, including data for the agency’s facilities. The agency policy DET-07A Detainee Sexual Abuse and Sexual Harassment Investigation, Review and Data Collection commits the agency to comply with the standard's data collection requirement. The Massachusetts State Police Colonel’s representative stated his commitment to utilizing data in the agency’s ongoing efforts to prevent sexual misconduct. Interviews with the Massachusetts State Police Colonel’s representative and the PREA Coordinator support a system to collect uniform data. The Auditor took into consideration the interviews, and the various documents supporting data are collected and used statewide and at the facility level.

115.188	**Data review for corrective action**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07A Detainee Sexual Abuse and Sexual Harassment Investigation, Review, and Data Collection MSP Annual PREA Reports from the state website Individuals interviewed/ observations made. Interview with the Colonel of the Massachusetts State Police representative Interview with Station Commander Interview with PREA Coordinator Indicator Summary Determination Indicator (a). The Massachusetts State Police utilizes data related to PREA incidents and other critical safety incidents to determine program improvements. The department's central office staff and the facility's administrative teams review critical incidents to improve safety. Interviews with the Station Commander and the representative of the Colonel of the Massachusetts State Police support critical analysis at the facility and system levels. The PREA Coordinator also confirmed that his position allows him to participate in the critical review process. Agency Policy DET-07A sets forth the expectation of Data Collection and the thoughtful review process. "The Department shall annually review data collected and aggregated in order to assess and improve the effectiveness of its sexual abuse prevention, detection, response policies, and training, including identifying problem areas; taking corrective action on an on-going basis; and preparing an annual report of its findings from its data review and any corrective actions for each lockup, as well as the agency as a whole." Indicator (b) The Massachusetts State Police annual report has a comparison of the number of sexual assault and sexual harassment claims across the series of years. The report shows if the accused was a staff member or a detainee and provides the outcome determination. There have been no detainee-on-detainee allegations in the past three years. The last allegation reported against a staff was in 2020. The agency reported past allegations were from pat/frisk search procedures or while securing a detainee. The Massachusetts State Police has added body cameras and cruiser camera systems and requires Troopers to tell individuals they are being filmed. This technology allows for a quick review of any similar allegations.

	Indicator (c) The Massachusetts State Police Colonel’s representative confirms he approves the PREA report developed by the agency PREA Coordinator before being placed on the agency’s website. Policy DET-07A states, “The PREA Coordinator's annual report shall include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse. Upon the approval of the Colonel, said report shall be made publicly available upon request, subject to redaction if appropriate.” The Auditor was able to view the 2023 report on the agency website. Indicator (d) The Massachusetts State Police removes all identifiers from summary reports. The Auditor was able to review documented reports on PREA that show cumulative data without utilizing identifiers. Compliance Determination: The Massachusetts State Police meets the requirements of this standard in policy DET-07A Detainee Sexual Abuse and Sexual Harassment Investigation, Review, and Data Collection. (page 4) defines the use of data. The representative for the MSP Colonel and the Station Commander of South Boston Barracks supported the agency's utilization of data to make informed decisions on programmatic and policy needs. This is consistent with the standard expectation to critically review data to identify problem areas and enact corrective actions. The PREA Coordinator has access to all data to identify trends that can be reviewed and support change at the facility or system level. The agency also complied with PREA standards by publishing annual reports that combine data and narrative information on MSP’s efforts since 2017 to develop PREA-safe facilities. The report tracks incident trends without identifying information.

115.189	**Data storage, publication, and destruction**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire DET-07A Detainee Sexual Abuse and Sexual Harassment Investigation, Review, and Data Collection Auditor review of state Websites related to data

	Mass State Records Retention Schedule Mass General law G.L.c 66 section10 Mass General Laws – 41.97D Sexual Abuse Information Confidentiality MSP Annual PREA Report Individuals interviewed/ observations made. Interview with PREA Coordinator Indicator Summary determination. Indicator (a). The Massachusetts State Police has both internal policy and state laws that speak to information security around victims of sexual abuse. The MSP Division of Administrative Services is responsible for the technological security of information. The Governor’s office requires each agency to have an Information Security Officer to oversee the agency's compliance with state and federal laws that protect individuals' privacy. The state of Massachusetts also has an organization that sets the record retention requirements for state agencies. The Auditor reviewed the MGL 41.97D on the confidentiality of sexual abuse cases and agency policy in assessing the element's compliance. Policy DET-07A names the PREA Coordinator as the individual responsible for collecting and retaining data. “The PREA coordinator shall annually collect accurate, uniform data for every allegation of sexual abuse/ harassment from each Barracks. The incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Local Jail Jurisdiction Survey of Sexual Violence or other instrument developed by the Department of Justice and designated lockups.” Indicator (b). The annual report posted on the Massachusetts State Police website’s PREA page does not use an individual’s identifying information. The report summarizes the data for all MSP facilities looking at misconduct from detainees or staff. A review of the state’s website shows an annual summary report on the agency’s efforts to prevent sexual abuse or sexual harassment of detainees in the State Police's custody. Reports were posted for the past years. The 2023 annual report was approved and is on the state website. The Auditor reviewed the report, which listed the number of allegations made and the outcome of the investigation. The Colonel's representative confirmed the approval process and its public distribution through the agency website. Indicator (c). Publicly available information on sexual assaults that are published on the state's websites excludes personal identifying information. Policy DET-07A sets

	forth the public availability requirement of the annual report data on page four. Massachusetts state law 41.97D speaks to the confidentiality of all reports involving sexual abuse cases. “All reports of rape and sexual assault or attempts to commit such offenses and all communications between police officers and victims of such offenses or abuse shall not be public reports and shall be maintained by the police departments in a manner that shall assure their confidentiality.” Indicator (d). Policy DET-07A sets forth an expectation consistent with the standard. The policy states, “All data collected shall be retained at least ten years after initial collection unless state, federal or local law requires otherwise.” Formal records of the investigation would be stored separately from the barracks. The agency has an electronic records management system that also limits access to individuals based on the user's position within the agency. Compliance Determination The Auditor finds that the standard has been met. Policy exists to protect the privacy of individuals while ensuring appropriate record retention. The agency supports transparency of its actions by publicly distributing its annual report through the state website at www.mass.gov/lists/annual-prea-reports-and-audits. Compliance is based on policy and documentation provided and available on state websites.

115.401	**Frequency and scope of audits**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. Brookfield-Audit Questionnaire DET-07 Detainee Sexual Abuse and Sexual Harassment DET-07A Detainee Sexual Abuse and Sexual Harassment Investigation, Review and Data Collection Massachusetts State Police Website Individuals interviewed/ observations. Interviews with the PREA Coordinator

	Tour of South Boston Barracks Indicator Summary Determination Indicator (a) The Massachusetts State Police has several of its 33 facilities audited in a year. All 33 PREA Audit Reports are found on the state website by the year they were completed in the prior audit cycle. In 2023-24, the Agency has 11 Audits scheduled. The auditor also confirmed that the state's county jails had been audited in the past three years. Indicator (b) The Audit occurred in year two of the Audit cycle. The Auditor confirmed from the information provided and found on the agency website that at least one-third of the facilities will be completed. Indicator (h) The Auditor did have open access to all parts of the facility. The Auditor was able to move freely about the complex on tour and speak informally with staff to ensure they were aware of the Audit. There were no overnight holds for me to interview and no bookings on the day of the site visit. The various troopers interviewed provided information on how they educate individuals about their rights as it relates to the Prison Rape Elimination Act. The agencies post information to educate detainees on how to seek assistance if the need arises. The signage is in two languages, similar to all other booking rights read to detainees, including Miranda. Indicator (i) The Massachusetts State Police provided the Auditor with information on the Online Audit System (OAS) in advance and subsequently provided information after the site visit. The Auditor, the PREA Coordinator, and the legal counsel for the MSP had several phone meetings to review material and set up information the Auditor would like to review on-site. The Agency provided materials in an organized manner. Indicator (m) The Auditor was able to interview staff in private spaces. The space provided was appropriate to allow the Auditor and the staff to speak freely without others being able to hear our conversations. Indicator (n) The Auditor did not receive confidential mailings from detainees, staff, or other interested parties. The Auditor’s information was posted, and the facility Station Commander and PREA Coordinator were informed the posting should remain up until the final report is issued.

	Compliance Determination: The Massachusetts State Police has had PREA audits of each of its 33 facilities in the last three years. The MSP has spread its facility audits over the three-year PREA cycle and has requirements in mutual aid agreements the County Jails used are to be PREA compliant, including undergoing formal audits. The Auditor was given full access to the lockup and booking areas and was not prohibited from returning to areas of the facility if requested. The Auditor was provided ample space and privacy to conduct confidential interviews with staff. Compliance is based on the above-mentioned facts, which support a culture of monitoring PREA daily.

115.403	**Audit contents and findings**
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Policies and written/electronic documentation reviewed. South Boston Pre-Audit Questionnaire Massachusetts State Police Website Individuals interviewed/ observations made. Interview with PREA Coordinator Indicator Summary Determination Indicator: (f) The Massachusetts State Police website has posted all the previous PREA Audits. This was determined through a review of the state's MSP Website. The MSP has published all PREA reports dating back over the past three years. South Boston Barrack's previous PREA Audit report was viewed on the state's website. Compliance Determination: The Massachusetts State Police website has all previous facility PREA Audits posted under its PREA information link. The Auditor also considered that the Agency PREA Coordinator was also aware of the timing requirement for posting the audit report.

Appendix: Provision Findings		
115.111 (a)	**Zero tolerance of sexual abuse and sexual harassment**	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
115.111 (b)	**Zero tolerance of sexual abuse and sexual harassment**	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its lockups?	yes
115.112 (a)	**Contracting with other entities for the confinement of detainees**	
	If this agency is law enforcement and it contracts for the confinement of its lockup detainees in lockups operated by private agencies or other entities, including other government agencies, has the agency included the entity's obligation to adopt and comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the law enforcement agency does not contract with private agencies or other entities for the confinement of detainees.)	yes
115.112 (b)	**Contracting with other entities for the confinement of detainees**	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the law enforcement agency does not contract with private agencies or other entities for the confinement of detainees OR the response to 115.112(a)-1 is "NO".)	yes
115.113 (a)	**Supervision and monitoring**	

	Does the agency ensure that it has developed for each lockup a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect detainees against sexual abuse?	yes
	Does the agency ensure that it has documented for each lockup a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect detainees against sexual abuse?	yes
	Does the agency ensure that it takes into consideration the 4 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The physical layout of each lockup?	yes
	Does the agency ensure that it takes into consideration the 4 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The composition of the detainee population?	yes
	Does the agency ensure that it takes into consideration the 4 criteria below in calculating adequate staffing levels and determining the need for video monitoring: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	Does the agency ensure that it takes into consideration the 4 criteria below in calculating adequate staffing levels and determining the need for video monitoring: Any other relevant factors?	yes
115.113 (b)	**Supervision and monitoring**	
	In circumstances where the staffing plan is not complied with, does the lockup document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na
115.113 (c)	**Supervision and monitoring**	
	In the past 12 months, has the lockup assessed, determined, and documented whether adjustments are needed to: 1. The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the lockup assessed, determined, and documented whether adjustments are needed to: Prevailing staffing patterns?	yes
	In the past 12 months, has the lockup assessed, determined, and documented whether adjustments are needed to: The lockup’s	yes

	deployment of video monitoring systems and other monitoring technologies?	
	In the past 12 months, has the lockup assessed, determined, and documented whether adjustments are needed to: The resources the lockup has available to commit to ensure adequate staffing levels?	yes
115.113 (d)	**Supervision and monitoring**	
	If vulnerable detainees are identified pursuant to the screening required by § 115.141, does security staff provide such detainees with heightened protection, to include: Continuous direct sight and sound supervision?	yes
	If vulnerable detainees are identified pursuant to the screening required by § 115.141, does security staff provide such detainees with heightened protection, to include: Single-cell housing or placement in a cell actively monitored on video by a staff member sufficiently proximate to intervene, unless no such option is determined to be feasible?	yes
115.114 (a)	**Juveniles and youthful detainees**	
	Are juveniles and youthful detainees held separately from adult detainees? (N/A if the facility does not hold juveniles or youthful detainees (detainees <18 years old).)	yes
115.115 (a)	**Limits to cross-gender viewing and searches**	
	Does the lockup always refrain from conducting any cross-gender strip searches or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.115 (b)	**Limits to cross-gender viewing and searches**	
	Does the lockup document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
115.115 (c)	**Limits to cross-gender viewing and searches**	
	Does the lockup implement policies and procedures that enable detainees to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent	yes

	circumstances or when such viewing is incidental to routine cell checks?	
	Does the lockup require staff of the opposite gender to announce their presence when entering an area where detainees are likely to be showering, performing bodily functions, or changing clothing?	yes
115.115 (d)	**Limits to cross-gender viewing and searches**	
	Does the lockup always refrain from searching or physically examining transgender or intersex detainees for the sole purpose of determining the detainee's genital status?	yes
	If a detainee's genital status is unknown, does the lockup determine genital status during conversations with the detainee, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.115 (e)	**Limits to cross-gender viewing and searches**	
	Does the agency train law enforcement staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the agency train law enforcement staff in how to conduct searches of transgender and intersex detainees in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
115.116 (a)	**Detainees with disabilities and detainees who are limited English proficient**	
	Does the agency take appropriate steps to ensure that detainees with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Detainees who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that detainees with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Detainees who are blind or have low vision?	yes

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

(b)	**English proficient**	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to detainees who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.116 (c)	**Detainees with disabilities and detainees who are limited English proficient**	
	Does the agency always refrain from relying on detainee interpreters, detainee readers, or other types of detainee assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the detainee's safety, the performance of first-response duties under §115.164, or the investigation of the detainee's allegations?	yes
115.117 (a)	**Hiring and promotion decisions**	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with detainees who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with detainees who: Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with detainees who: Has been civilly or administratively adjudicated to have engaged in the activity described in the bullet immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with detainees who: o Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with detainees who: Has been	yes

	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?	
	Does the agency prohibit the enlistment of services of any contractor who may have contact with detainees who: Has been civilly or administratively adjudicated to have engaged in the activity described in the bullet immediately above?	yes
115.117 (b)	**Hiring and promotion decisions**	
	Does the agency consider 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 detainees?	yes
115.117 (c)	**Hiring and promotion decisions**	
	Before hiring new employees who may have contact with detainees, does the agency: Perform a criminal background records check?	yes
	Before hiring new employees who may have contact with detainees, does the agency: Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.117 (d)	**Hiring and promotion decisions**	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with detainees?	yes
115.117 (e)	**Hiring and promotion decisions**	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with detainees or have in place a system for otherwise capturing such information for current employees?	yes
115.117 (f)	**Hiring and promotion decisions**	

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

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

	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.121 (d)	**Evidence protocol and forensic medical examinations**	
	If the detainee is transported for a forensic examination to an outside hospital that offers victim advocacy services, does the agency permit the detainee to use such services to the extent available, consistent with security needs?	yes
115.121 (e)	**Evidence protocol and forensic medical examinations**	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting any form of criminal or administrative sexual abuse investigations.)	yes
115.122 (a)	**Policies to ensure referrals of allegations for investigations**	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.122 (b)	**Policies to ensure referrals of allegations for investigations**	
	If another law enforcement agency is responsible for conducting investigations of allegations of sexual abuse and sexual harassment in its lockups, does the agency have a policy in place to ensure that such allegations are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior? (N/A if agency is responsible for conducting administrative and criminal investigations of sexual abuse or sexual harassment. See 115.121(a).)	yes

	Has the agency published such policy, including a description of responsibilities of both the agency and the investigating entity, on its website or, if it does not have one, made the policy available through other means? (N/A if agency is responsible for conducting administrative and criminal investigations of sexual abuse or sexual harassment. See 115.121(a).)	yes
	Does the agency document all such referrals? (N/A if agency is responsible for conducting administrative and criminal investigations of sexual abuse or sexual harassment. See 115.121(a).)	yes
115.131 (a)	**Employee and volunteer training**	
	Does the agency train all employees and volunteers who may have contact with lockup detainees to be able to fulfill their responsibilities under agency sexual abuse prevention, detection, and response policies and procedures, including training on: Its zero-tolerance policy and detainees' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees and volunteers who may have contact with lockup detainees to be able to fulfill their responsibilities under agency sexual abuse prevention, detection, and response policies and procedures, including training on: The dynamics of sexual abuse and sexual harassment in confinement, including which detainees are most vulnerable in lockup settings?	yes
	Does the agency train all employees and volunteers who may have contact with lockup detainees to be able to fulfill their responsibilities under agency sexual abuse prevention, detection, and response policies and procedures, including training on: The right of detainees and employees to be free from retaliation for reporting sexual abuse or harassment?	yes
	Does the agency train all employees and volunteers who may have contact with lockup detainees to be able to fulfill their responsibilities under agency sexual abuse prevention, detection, and response policies and procedures, including training on: How to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees and volunteers who may have contact with lockup detainees to be able to fulfill their responsibilities under agency sexual abuse prevention, detection, and response policies and procedures, including training on: How to communicate effectively and professionally with all detainees?	yes

	Does the agency train all employees and volunteers who may have contact with lockup detainees to be able to fulfill their responsibilities under agency sexual abuse prevention, detection, and response policies and procedures, including training on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.131 (b)	**Employee and volunteer training**	
	Have all current employees and volunteers who may have contact with detainees received such training?	yes
	Does the agency provide each employee and volunteer with annual refresher information to ensure that they know the agency’s current sexual abuse and sexual harassment policies and procedures?	yes
115.131 (c)	**Employee and volunteer training**	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.132 (a)	**Detainee, contractor, and inmate worker notification of the agency's zero-tolerance policy**	
	During the intake process, do employees notify all detainees of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
115.132 (b)	**Detainee, contractor, and inmate worker notification of the agency's zero-tolerance policy**	
	Does the agency ensure that, upon entering the lockup, all contractors and any inmates who work in the lockup are informed of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
115.134 (a)	**Specialized training: Investigations**	
	In addition to the general training provided to all employees and volunteers pursuant to §115.131, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not	yes

	conduct any form of administrative or criminal sexual abuse investigations. See 115.121(a).)	
115.134 (b)	**Specialized training: Investigations**	
	Does this specialized training include: Techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.121(a).)	yes
	Does this specialized training include: Proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.121(a).)	yes
	Does this specialized training include: Sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.121(a).)	yes
	Does this specialized training include: The criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.121(a).)	yes
115.134 (c)	**Specialized training: Investigations**	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.121(a).)	yes
115.141 (a)	**Screening for risk of victimization and abusiveness**	
	If the lockup is not utilized to house detainees overnight, before placing any detainees together in a holding cell do staff consider whether, based on the information before them, a detainee may be at a high risk of being sexually abused? (N/A if the lockup is utilized to house detainees overnight.)	yes
	When appropriate, do staff take necessary steps to mitigate such danger to the detainee? (N/A if the lockup is utilized to house detainees overnight.)	yes
115.141	**Screening for risk of victimization and abusiveness**	

(b)		
	If the lockup is utilized to house detainees overnight, are all detainees screened to assess their risk of being sexually abused by other detainees or sexually abusive toward other detainees? (N/A if lockup is NOT used to house detainees overnight.)	yes
115.141 (c)	**Screening for risk of victimization and abusiveness**	
	In lockups described in paragraph (b) of this section, do staff always ask the detainee about his or her own perception of vulnerability? (N/A if lockup is NOT used to house detainees overnight.)	yes
115.141 (d)	**Screening for risk of victimization and abusiveness**	
	Does the screening process in the lockups described in paragraph (b) of this section consider, to the extent that the information is available, the following criteria to screen detainees for risk of sexual victimization: Whether the detainee has a mental, physical, or developmental disability. (N/A if lockup is NOT used to house detainees overnight.)	yes
	Does the screening process in the lockups described in paragraph (b) of this section consider, to the extent that the information is available, the following criteria to screen detainees for risk of sexual victimization: The age of the detainee? (N/A if lockup is NOT used to house detainees overnight.)	yes
	Does the screening process in the lockups described in paragraph (b) of this section consider, to the extent that the information is available, the following criteria to screen detainees for risk of sexual victimization: The physical build and appearance of the detainee? (N/A if lockup is NOT used to house detainees overnight.)	yes
	Does the screening process in the lockups described in paragraph (b) of this section consider, to the extent that the information is available, the following criteria to screen detainees for risk of sexual victimization: Whether the detainee has previously been incarcerated? (N/A if lockup is NOT used to house detainees overnight.)	yes
	Does the screening process in the lockups described in paragraph (b) of this section consider, to the extent that the information is available, the following criteria to screen detainees for risk of sexual victimization: The nature of the detainee’s alleged offense	yes

	and criminal history? (N/A if lockup is NOT used to house detainees overnight.)	
115.151 (a)	**Detainee reporting**	
	Does the agency provide multiple ways for detainees to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple ways for detainees to privately report: Retaliation by other detainees or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple ways for detainees to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.151 (b)	**Detainee reporting**	
	Does the agency also provide at least one way for idetainees to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that entity or office able to receive and immediately forward detainee reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the detainee to remain anonymous upon request?	yes
115.151 (c)	**Detainee reporting**	
	Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Do staff members promptly document any verbal reports of sexual abuse and sexual harassment ?	yes
115.151 (d)	**Detainee reporting**	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of detainees?	yes
115.154 (a)	**Third-party reporting**	

	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment in its lockups?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of a detainee?	yes
115.161 (a)	**Staff and agency reporting duties**	
	Does the agency require 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 an agency lockup?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against detainees or staff who reported such an incident?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.161 (b)	**Staff and agency reporting duties**	
	Apart from reporting to designated supervisors or officials, do staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, and investigation decisions?	yes
115.161 (c)	**Staff and agency reporting duties**	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.161 (d)	**Staff and agency reporting duties**	
	Does the agency report all allegations of sexual abuse, including third-party and anonymous reports, to the agency’s designated investigators?	yes
115.162	**Agency protection duties**	

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

	defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	
	Upon learning of an allegation that a detainee was sexually abused, is the first law enforcement staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.164 (b)	**Staff first responder duties**	
	If the first staff responder is not a law enforcement staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify law enforcement staff?	yes
115.165 (a)	**Coordinated response**	
	Has the agency developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to a lockup incident of sexual abuse?	yes
	If a victim is transferred from the lockup to a jail, prison, or medical facility, does the agency, as permitted by law and unless the victim requests otherwise, inform the receiving facility of the incident and the victim’s potential need for medical or social services?	yes
115.165 (b)	**Coordinated response**	
	If a victim is transferred from the lockup to a jail, prison, or medical facility, does the agency, as permitted by law, inform the receiving facility of the incident unless the victim requests otherwise? (N/A if the agency is not permitted by law to inform a receiving facility, where a victim is transferred from the lockup to a jail, prison, or medical facility as a result of an allegation of sexual abuse of the incident and the victim’s potential need for medical or social services.)	yes
	If a victim is transferred from the lockup to a jail, prison, or medical facility, does the agency, as permitted by law, inform the	yes

	receiving facility of the victim[1]s potential need for medical or social services unless the victim requests otherwise? (N/A if the agency is not permitted by law to inform a receiving facility, where a victim is transferred from the lockup to a jail, prison, or medical facility as a result of an allegation of sexual abuse of the incident and the victim's potential need for medical or social services.)	
115.166 (a)	**Preservation of ability to protect detainees from contact with abusers**	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with detainees pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.167 (a)	**Agency protection against retaliation**	
	Has the agency established a policy to protect all detainees and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other detainees or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.167 (b)	**Agency protection against retaliation**	
	Does the agency employ multiple protection measures, such as housing changes or transfers for detainee victims or abusers, removal of alleged staff or detainee abusers from contact with victims, and emotional support services for detainees or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
115.167 (c)	**Agency protection against retaliation**	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, does the agency: Monitor the conduct and treatment of detainees or staff who have reported sexual abuse?	yes

	Except in instances where the agency determines that a report of sexual abuse is unfounded, does the agency: Monitor the conduct and treatment of detainees who were reported to have suffered sexual abuse?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, does the agency: Act promptly to remedy any such retaliation?	yes
115.167 (d)	**Agency protection against retaliation**	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.171 (a)	**Criminal and administrative agency investigations**	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.121(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/ facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.121(a).)	yes
115.171 (b)	**Criminal and administrative agency investigations**	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.134?	yes
115.171 (c)	**Criminal and administrative agency investigations**	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes

115.171 (d)	**Criminal and administrative agency investigations**	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.171 (e)	**Criminal and administrative agency investigations**	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual’s status as detainee or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring a detainee who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.171 (f)	**Criminal and administrative agency investigations**	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.171 (g)	**Criminal and administrative agency investigations**	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.171 (h)	**Criminal and administrative agency investigations**	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.171 (i)	**Criminal and administrative agency investigations**	
	Does the agency retain all written reports referenced in 115.171(f)	yes

	and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	
115.171 (j)	**Criminal and administrative agency investigations**	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the lockup or agency does not provide a basis for terminating an investigation?	yes
115.171 (l)	**Criminal and administrative agency investigations**	
	When outside agencies investigate sexual abuse, does the agency cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.121(a).)	na
115.172 (a)	**Evidentiary standard for administrative investigations**	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.176 (a)	**Disciplinary sanctions for staff**	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.176 (b)	**Disciplinary sanctions for staff**	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.176 (c)	**Disciplinary sanctions for staff**	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes

115.176 (d)	**Disciplinary sanctions for staff**	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: o Law enforcement agencies, unless the activity was clearly not criminal?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.177 (a)	**Corrective action for contractors and volunteers**	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with detainees?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.177 (b)	**Corrective action for contractors and volunteers**	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with detainees?	yes
115.178 (a)	**Referral for prosecution for detainee-on-detainee sexual abuse**	
	When there is probable cause to believe that a detainee sexually abused another detainee in a lockup, does the agency refer the matter to the appropriate prosecuting authority?	yes
115.178 (b)	**Referral for prosecution for detainee-on-detainee sexual abuse**	
	If the agency itself is not responsible for investigating allegations of sexual abuse, does the agency inform the investigating entity of this policy? (N/A if the agency/facility is responsible for administrative and criminal investigations. See	na

	115.121(a).)	
115.182 (a)	**Access to emergency medical and mental health services**	
	Do detainee victims of sexual abuse in lockups receive timely, unimpeded access to emergency medical treatment?	yes
115.182 (b)	**Access to emergency medical and mental health services**	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.186 (a)	**Sexual abuse incident reviews**	
	Does the lockup conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.186 (b)	**Sexual abuse incident reviews**	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.186 (c)	**Sexual abuse incident reviews**	
	Does the review team include upper-level management officials, with input from line supervisors and investigators?	yes
115.186 (d)	**Sexual abuse incident reviews**	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the lockup?	yes
	Does the review team: Examine the area in the lockup where the incident allegedly occurred to assess whether physical barriers in	yes

	the area may enable abuse?	
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.186(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the lockup head and agency PREA coordinator?	yes
115.186 (e)	**Sexual abuse incident reviews**	
	Does the lockup implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.187 (a)	**Data collection**	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at lockups under its direct control using a standardized instrument and set of definitions?	yes
115.187 (b)	**Data collection**	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.187 (c)	**Data collection**	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Local Jail Jurisdictions Survey of Sexual Violence conducted by the Department of Justice, or any subsequent form developed by the Department of Justice and designated for lockups?	yes
115.187 (d)	**Data collection**	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes

115.187 (e)	**Data collection**	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its detainees? (N/A if the agency does not contract for the confinement of its detainees.)	yes
115.187 (f)	**Data collection**	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
115.188 (a)	**Data review for corrective action**	
	Does the agency review data collected and aggregated pursuant to § 115.187 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.187 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.187 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each lockup, as well as the agency as a whole?	yes
115.188 (b)	**Data review for corrective action**	
	Does the agency’s annual report include a comparison of the current year’s data and corrective actions with those from prior years and provide an assessment of the agency’s progress in addressing sexual abuse?	yes
115.188 (c)	**Data review for corrective action**	
	Is the agency’s annual report approved by the agency head and made readily available to the public through its website or, if it	yes

	does not have one, through other means?	
115.188 (d)	**Data review for corrective action**	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a lockup?	yes
115.189 (a)	**Data storage, publication, and destruction**	
	Does the agency ensure that data collected pursuant to § 115.187 are securely retained?	yes
115.189 (b)	**Data storage, publication, and destruction**	
	Does the agency make all aggregated sexual abuse data, from lockups under its direct control and any private agencies with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.189 (c)	**Data storage, publication, and destruction**	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.189 (d)	**Data storage, publication, and destruction**	
	Does the agency maintain sexual abuse data collected pursuant to § 115.187 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	**Frequency and scope of audits**	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes
115.401 (b)	**Frequency and scope of audits**	

	Is this the first year of the current audit cycle? (Note: a “no” response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	yes
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
115.401 (h)	**Frequency and scope of audits**	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	**Frequency and scope of audits**	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	**Frequency and scope of audits**	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
115.401 (n)	**Frequency and scope of audits**	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
115.403 (f)	**Audit contents and findings**	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of	yes

	single facility agencies, there has never been a Final Audit Report issued.)	