

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

NATIONAL
PREA
RESOURCE
CENTER



BJA

Bureau of Justice Assistance
U.S. Department of Justice

[Following information to be populated automatically from pre-audit questionnaire]

Name of facility: Palmer Correctional Center		
Physical address: P.O. Box 919 Palmer, AK 99645		
Date report submitted: September 21, 2014		
Auditor Information Shamroque D Alvis-Hill		
Address: 2605 State Street		
Email: Shamroque.d.alvis@doc.state.or.us		
Telephone number: 503-562-0099		
Date of facility visit: August 07, 2014		
Facility Information		
Facility mailing address: (if different from above)		
Telephone number: 907-746-1574		
The facility is:		
<input type="checkbox"/> Military <input type="checkbox"/> County <input type="checkbox"/> Federal		
<input type="checkbox"/> Private for profit <input type="checkbox"/> Municipal <input checked="" type="checkbox"/> State		
<input type="checkbox"/> Private not for profit		
Facility Type: <input type="checkbox"/> Jail <input checked="" type="checkbox"/> Prison		
Name of PREA Compliance Manager: Kenneth Snowdeal		Title: Sgt; CO III
Email address: Kenneth.Snowdeal@alaska.gov		Telephone number: 907-745-5054
Agency Information		
Name of agency: Alaska State Department of Corrections		
Governing authority or parent agency: (if applicable)		
Physical address: 515 E Dahlia Ave. Ste. Palmer, AK 99645		
Mailing address: (if different from above)		
Telephone number: 907-761-5623		
Agency Chief Executive Officer		
Name: Joseph Schmidt		Title: Commissioner
Email address: Joseph.Schmidt@alaska.gov		Telephone number: 907-269-7397
Agency-Wide PREA Coordinator		
Name: Johnnie Wallace		Title: PREA Coordinator
Email address: Johnnie.wallace@alaska.gov		Telephone number: 907-761-5623

AUDIT FINDINGS

NARRATIVE:

The PREA Audit of the Palmer Correctional Facility was conducted on August 06, 2014 through August 08, 2014. Notice of the audit was posted in the facility six weeks prior to the audit providing auditor contact information. One week prior to the audit, the auditor received the Pre-Audit Questionnaire with attached documentation. Because the questionnaire was received by the auditor just prior to the audit, no interviews were conducted prior to the onsite visit being conducted. Prior to the audit the auditor reviewed the provided documentation and reviewed the agency website to evaluate compliance with PREA standards.

Following the entrance meeting with the facility management team, the auditor conducted a tour of the facility which included but was not limited to Intake, all housing units to include segregated housing areas, medical, food services, industry areas, and programming and education areas. PREA signs and informational posters for services related to PREA were posted throughout the facility.

As part of the facility audit, the auditor interviewed key agency and facility staff to include; Bryan Brandenburg, Director; Superintendent Tomi Anderson; Earl Houser, Asst. Superintendent; Johnnie Wallace, PREA Compliance Coordinator; Sgt. Kenneth Snowdeal PREA Manager; Sheri Olsen, Administration Lieutenant; and Billy Houser, Contract Administrator

Additionally, all required staff and inmate interviews were conducted which included 12 random staff and 15 random inmates that had been selected randomly from rosters provided by the facility. Additionally, specialized interviews were conducted for inmates identified as disabled, limited English proficient, LGBTI, or who had reported sexual abuse. Also other specialized staff interviews conducted included 3 First Responders, 1 Medical, 1 Mental Health, and 3 staff assigned to supervise inmates in segregated housing as well as 1 volunteer and 1 contractor. Total interviews conducted were 29 staff, 27 inmates and 2 volunteer/contractors.

The auditor found that staff and inmates were very aware of PREA. Staff had been issued study guides that were observed throughout the facility.

The auditor reviewed staff, contractor and volunteer training records to ensure that all required training had been completed. The auditor also reviewed investigative reports and staff personnel files related to completed investigations and disciplinary actions taken regarding PREA related allegations.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The mission of the Palmer Correctional Center is to integrate security and programs into a comprehensive unit that assists prisoners in developing attitudes and conduct that are consistent with established community values.

The **Medium Facility** also consists of a contact visitation room, secure visitation room, staff offices, dining hall, kitchen, education hallway with education classrooms and staff offices, records hallway (staff offices and prisoner files room), and Medium Unit Team Building.

Prisoner Housing	Type of Housing	Total Prisoners Housed
House 1	Mental Health House	39
House 2	Sex Offender Program	37
House 3	General Population	39
House 4	General Population	39
House 5	Residential Substance Abuse TX	39
House 6	Residential Substance Abuse TX	39
	Transitional Living Program	
House 7	House	37
House 8	Unit Team	18
House 9	Kitchen Workers	18
House 10	Kitchen Workers	18
Medical Segregation		4
Segregation		19
Total Cap for Medium Facility		338

The **Minimum Facility** consists of kitchen, dining hall, visitation area, education classrooms, hobby craft, law library, library, rec. hall, prisoner property room, laundry, and weight room.

Total Prisoners Housed

44
44
44
44
176

Maintenance Shops

Consists of maintenance shops and inmate work areas.

EDUCATION/VOCATIONAL AND OFFENDER CHANGE PROGRAMS

Adult Basic Education

Adult Basic Education is provided in a classroom setting and on a one-on-one basis to inmates wishing to learn to read or improve their math or English skills.

GED

There is a full time GED instructor in the Education Department who provides instruction, tutoring, counseling, and assist with computer assisted instruction.

Vocational Education

There are five Department of Labor Approved Apprenticeships offered at P.C.C. These apprenticeships include Butcher, Meat Cutter, Cook, Baker, and Building Maintenance. These are two and four year apprenticeships which provide formal and on-the-job training. Additionally, the P.C.C. Education Department offers a State Certified 40 hrs. Hazardous Material Emergency Response; a 40 hr. State Certified Asbestos Abatement course; and a certified 8 hr. Hazardous Material Transportation course.

Life Skills

The education department hires instructors to teach various life skills classes. These classes include Cognitive Self-Change, Communication Skills, Parenting Skills and Victim Impact. Additionally, there is a Family Violence Intervention, and Anger Management program.

Parenting

InsideOut Dad is a program for incarcerated fathers that includes 12 one-hour core sessions and 26 one-hour optional sessions. The format allows a program to vary from very basic to very advanced depending on the need of the fathers. It can be implemented in a group or in a one-on-one setting.

Post Secondary Education

A variety of first and second year college classes are available from UAA and UAF through their distance education programs.

Introduction to Computers//Microsoft and IC3 Certification

This is basic computer instruction and Certification in the Microsoft Office Suite: Word, Excel, Access, Outlook, and Powerpoint

Tech Prep

Microsoft Office computer classes with college credit from UAA.

College Courses

Inmates can, at their own expense, enroll in telecourses through UAA or UAF Distant Education Programs. Approximately 40 courses are offered every fall and spring semester. Inmates can participate in teleconferences and be escorted to the UAA campus when necessary. Additionally, tutors are available.

Pre-Release

The pre-release program offers instruction in resume writing, cover letters, and job interview skills. Probation Officers participate and discuss the complex intricacies and subtleties of probation, parole and, furlough. Additionally, on a-as-needed basis, the requirements and services offered at half-way houses are covered.

Building Maintenance Program

Courses related to the Building Maintenance Program or general interest courses are offered such as Energy Efficient Building Techniques, AutoCAD, (computer assisted design), Introduction to Computers, Office 2000, HTML - Web Page Design, A+ Certification, Cabinet Making, Stair Building, Commercial Drivers Licenses, Shop and Chain Saw Safety. The average length of stay at Minimum is approximately 40 to 50 days which imposes certain restrictions on what is appropriate. The instructor tries to respond to the diverse needs of a diverse population, while keeping in mind marketable skills.

National Center for Construction Education and Research

This program is register with the Associated General Contractors of Alaska and certified by the NCCER. Classes are offered include the Core Requirements and the Carpentry Level I, II, and III.

Computer Assisted Drafting

Computer assisted drafting program that includes AUTO CAD 2006 and Chief Architect.

Commercial Drivers License

The CDL class is designed to prepare the student to pass the objective portion of the CDL test.

Right Way

A Prisoner Re-entry case manager from Alaska Native Justice Center works with pre-release issues.

Moral Reconciliation Therapy

An open entry group focusing on developing moral reasoning in which group members work through 12 steps. (Supervised by Mental Health Clinician)

Communication/ Resumes and Interviewing

Assorted classes that assist in student's communication skills.

Classes teach practice job interviewing and building a resume

Independent Living

Classes teach skills for responsible living like job and apartment hunting, budgeting, checkbooks, loans, credit cards, etc.

Business Basics

Classes teach skills for responsible living like job and apartment hunting, budgeting, checkbooks, loans, credit cards, etc.

Pre-Release

Assorted classes covering how ex-offenders succeed after prison

Employment

Classes on how to get and thrive in a job

Palmer Treatment Programs

48 Week Offender Treatment Program

The 48-Week Offender program specifically targets antisocial attitudes, values and beliefs (personal cognitive supports for crime.) This program focuses on the specific dynamic risk factors of impulsivity, egocentrism, weak problem-solving / self-regulation skills, aggressiveness and deficits in critical reasoning and abstract thinking.

Domestic Violence Perpetrator Program

Domestic Violence Perpetrator Programs are specifically-designed interventions that focus on the rehabilitation of domestic violence perpetrators. The primary commitment is to the safety of victims including children; perpetrators are held solely responsible for their behavior.

Subacute Psychiatric Unit/House 1

House 1 is an in-patient mental health treatment unit that provides structured, supportive environments for mentally ill male offenders. Inmates are placed on this unit when they are transitioning from the more regimented environment of the acute unit (Mike Mod at Anchorage Correctional Center) or when they are not able to function well in general population due to their illness. This subacute unit is a structured therapeutic environment that encourages individual growth and responsibility.

Transformational Living Community

The TLC program is a faith-based therapeutic residential program designed to provide a healthy, positive, and spiritually-centered learning environment conducive to facilitating positive change in the lives of the residents. Core program areas of focus include spiritual formation, community building, moral and character development, life-controlling problems such as substance abuse, anger management, inner healing issues from abuse and neglect, family and fatherhood issues, coping with incarceration, criminal mentality, social adjustment and education. The program is a therapeutic community utilizing counseling peer groups, classes and seminars.

Volunteer/Chaplaincy Programs

Alcoholics Anonymous

Alcoholics Anonymous is a fellowship of men and women who share their experiences, strengths, and hope with each other so that they may solve their common problem and help others to recover from alcoholism. The only requirement for membership is a desire to stop drinking. There are no dues or fees for AA membership; it is self supporting through its own contributions. AA is not allied with any sect, denomination, politics, organization, or institution. It does not wish to engage in any controversy; it neither endorses nor opposes any causes. Its primary purpose is for its members to stay sober and to help other alcoholics to achieve sobriety.

Chaplaincy Core Programs

Worship services; Bible/religious studies; Devotional study/prayer times; Special music, drama, religious events; one-to-one mentoring; Pastoral care and counseling; Crisis intervention; Death notifications (to prisoners and their families); Hospital/medical visitation; Segregation visitation; Management of religious diversity issues; Management of volunteer screening, training, supervision; Religious literature distribution; Critical Incident Stress Management.

Kairos Prison Ministry

Kairos Prison Ministry is an international program which conducts a highly structured lay program designed specifically for correctional institutions. Their mission is to bring Christ's love and forgiveness

to incarcerated individuals and their families, and to assist the incarcerated in their transition to becoming productive citizens.

Learning to Live, Learning to Love

Learning to Live, Learning to Love is an educational program that deals with human development and is designed to help overcome experiences that have had an adverse impact in a prisoner's life. It covers areas such as the anger, life decisions, dealing with emotions, understanding what makes a healthy relationship and more.

Narcotics Anonymous

Narcotics Anonymous (NA) is a twelve-step program of recovery from drug addiction, modeled on Alcoholics Anonymous (AA). It describes itself as a nonprofit "fellowship or society of men and women for whom drugs had become a major problem." The program is group-oriented, and is based on the Twelve Steps and the Twelve Traditions, adapted from AA.

SUMMARY OF AUDIT FINDINGS:

Number of standards exceeded:
Number of standards met: 25
Number of standards not met: 17
Non-applicable: 1

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

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

Palmer has not met all elements of this standard. Alaska State DOC Policy 808.19, Prison Rape Elimination Act (PREA) Prevention and Reporting Policy: (A) The Department has a zero tolerance policy towards sexual misconduct. This policy encompasses the approach to prevention, detection, and responsible to such conduct. The policy needs to be further reviewed to add language that reflects staff sexual harassment.

During the onsite visit of the facility, it was observed by this auditor that staff were aware of the agency's zero tolerancy policy towards sexual abuse and sexual harassment and were familiar with with the agency's PREA policy. The Agency and Facility are in the process of making its best efforts towards being compliant.

The Agency has identified a Statewide PREA Compliance Coordinator and Palmer has identified a PREA Liaison that services as the facility's PREA Compliance Manager. It was apparent that there is not sufficient time and authority to coordinate, develop, implement, and oversee the agency's efforts to comply with the PREA standards at the Agency level as well as the Facility level.

The Agency will need to employ or designate an upper level, Agency Statewide PREA Coordinator that will have the sufficient time, and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities in the Alaska Department of Corrections. Palmer Correctional Center will need to designate a PREA Compliance Manager that will have the sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.

§115.12 - Contracting with other entities for the confinement of inmates

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

All contracts with other entities have full PREA program and compliance. Three of the contracts went through ACCA Audit Accreditation with the primary focus on PREA. There are annual internal audits specifically to audit PREA compliance within the community correction centers.

Alaska Department of Corrections oversees community correctional centers. All of these centers have signed agreements to comply with the PREA standards. All confinement contracts are updated annually and language has been included through use of a shell agreement that requires that each facility agree to be PREA compliant and be actively working to achieve compliance.

§115.13 – Supervision and Monitoring

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

The Facility does not meet all the elements in this standard. Palmer will need to develop a staffing plan that provides for adequate levels of staffing, and video monitoring to protect inmates against sexual abuse.

The staffing plan will need to be reviewed annually with input from the Agency PREA Coordinator who reviews aggregated data for indications that changes to staffing or camera systems may be appropriate.

The facility will need to work in consultation with the PREA Coordinator to assess, determine, and document any adjustments to the staffing plan and make available resources to commit to ensure the adherence of the staffing plan.

The facility does require that supervisory rounds are being conducted. A review of housing logs and interviews of staff show that supervisory rounds are being conducted.

§115.14 – Youthful Inmates

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

Palmer has demonstrated compliance with all elements of this standard. Palmer Correctional Center does not house youthful inmates.

If an instance were to occur, there would be a staff member with the individual at any time there were an adult offender within sight, sound, or physical contact.

§115.15 – Limits to Cross-Gender Viewing and Searches

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

Palmer does meet all the elements in this standard as outlined in Limits to Cross-Gender Viewing and Searches. Palmer meets the standard and documents all cross gender strip searches and cross body cavity searches. A review of their policies and procedures and reported interviews, reflect inmates are able to shower, perform bodily functions and change clothes without non-medical staff of the opposite gender being able to view their genitalia, breasts or buttocks, except during routine cell checks.

The Facility has trained security staff in how to conduct cross gender pat down searches, and searches of transgender and intersex inmates. All documentation has been received that the staff has been trained.

Palmer has a policy that requires staff of the opposite gender to announce themselves when entering a housing unit and the auditor observed that these announcements were taking place.

§115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient

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

Palmer demonstrated compliance with all elements of this standard. Palmer has made every effort to comply with this portion of the standard. The agency has taken all necessary 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 inmates who are limited English proficient.

§115.17 – Hiring and Promotion Decisions

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

Palmer has not met compliance with all elements of this standard. The Agency currently does not have a process in place that conducts criminal background records checks at least 5 years of current employees and contractors who may have contact with inmates. This standard requires that material omissions or providing of false information be grounds for termination.

§115.18 – Upgrades to Facilities and Technology

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

Palmer meets compliance of this standard. Palmer has a camera program and has a clear vision of what improvements are needed to enhance their current capabilities.

They are currently working on upgrading their camera system. The facility has taken steps to mitigate concerns where there is limited camera coverage.

§115.21 – Evidence Protocol and Forensic Medical Examinations

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

Palmer has demonstrated compliance with all elements of this section. The Alaska State Troopers is designated as the primary investigative agency for the facility. The Alaska Department of Corrections investigates administrative sexual abuse investigations and Alaska State Troopers conducts the criminal sexual investigations. I would recommend that a uniform protocol be put in place that follows a procedure with Alaska State Troopers that is followed Agency wide.

Staff are trained in evidence collection and preservation to maximize the potential of collecting usable evidence.

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

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

Palmer has not met compliance with all elements of this standard. The Agency's policy ensures allegations of sexual abuse and sexual harassment are referred for investigation to the Alaska State Troopers or the Alaska Bureau of Investigations. Both entities have the legal authority to conduct criminal background investigations. However, there is not a publication that describes the investigative responsibilities of either the Alaska Dept. of Corrections or the Alaska State Trooper. Currently, there is not a MOU in place that outlines each agency's responsibilities to criminal investigations.

§115.31 – Employee Training

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

Palmer has not met compliance with all elements of this standard. Palmer Correctional staff currently have not received the required PREA training curriculum in accordance with the PREA standards. The training developed will need to be revised to include how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender conforming inmates and how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities..

§115.32– Volunteer and Contractor Training

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

Palmer has not met compliance with all elements of this standard. The Auditor has reviewed the training curriculum, but to this date, volunteers and contractors have not received training on their responsibilities under the Agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The training curriculum is in the process of being implemented statewide. Once implemented, the staff, volunteers and contractors will need to be trained and the Agency/Facility will need to maintain the documentation

§115.33 – Inmate Education

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

Palmer has demonstrated that they have met the elements of this standard. Every inmate receives PREA Training within the first week at the facility as part of orientation. The facility ensures that every inmate regardless of limitation or disability has the same access to PREA education resources. PREA information has been provided on an ongoing basis and has been documented to demonstrate compliance.

§115.34 – Specialized Training: Investigations

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

Palmer has not met compliance with all elements of this standard. The Alaska Department of Corrections does not provide any specialized training that covers techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity, or sexual abuse investigations. They do not currently have any investigators in the agency that is trained solely on such investigations in confinement settings. Agents and investigators must be trained in conducting investigations in confinement settings.

§115.35 – Specialized training: Medical and mental health care

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

Palmer has met compliance with all elements of this standard. The Agency has a policy that relates to the training of medical and mental health practitioners who work regularly in its facilities. The agency/facility needs to ensure that all full and part time medical and mental health care practitioners who work regularly in its facilities have been trained in:

- (1) How to detect and assess signs of sexual abuse and sexual harassment;
- (2) How to preserve physical evidence of sexual abuse;
- (3) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and
- (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

Palmer showed documentation that all medical and mental health staff has been trained in reference to the standard.

§115.41 – Screening for Risk of Victimization and Abusiveness

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

Palmer has met compliance with all elements of this standard. The Agency/Facility will has put in place a screening assessment during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates. The intake screening take place within 72 hours of arrival at the facility. The screening instrument used will need to consider at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- (1) Whether the inmate has a mental, physical, or developmental disability;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;

- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and
- (10) Whether the inmate is detained solely for civil immigration purposes.

The Agency considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency in assessing inmates for risk of being sexually abusive.

The Facility will reassess each inmate's risk of victimization or abusiveness within a set period not to exceed 30 days after the inmate's arrival at the facility, based upon any additional, relevant information received by the facility since the intake screening.

§115.42 – Use of Screening Information

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

Palmer meets all the elements of this standard. The Agency/Facility has developed a risk screening tool utilizing the information obtained from the vulnerability risk assessment to make housing, work, education, and programming assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.

A review is completed for all transgender and intersex inmates to determine the most suitable housing assignment and it includes the offender's own views related to their safety. The facility does not have dedicated housing for LGBTI inmates and does provide separate showering for all inmates.

The placement and programming assignments for each transgender or intersex inmate will need to be reassessed at least twice each year to review any threats to safety experienced by the inmate.

§115.43 – Protective Custody

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

Palmer demonstrated compliance with all the elements of this standard. The Agency has a policy prohibiting the placing of inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made a determination has been made that there is no available means of separation from likely abusers.

It is in the policy that if an involuntary assignment has been made; the facility affords each inmate a review every 30 days to determine whether there is a continuing need for separation from the general population.

§115.51 – Inmate Reporting

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

Palmer demonstrated compliance with all elements of this standard. The Alaska State Department of Corrections and Palmer have made every effort to ensure multiple ways for offenders to report concerns related to sexual abuse, sexual harassment, retaliation, staff neglect or violation of responsibilities. Offenders were aware of many ways to report and stated that they felt safe reporting to staff at the facility.

Staff knew and understood that regardless of how a report of sexual abuse, sexual harassment, retaliation, staff neglect or violation of responsibilities is received, it must be reported and investigated. Palmer has established a procedure for staff to follow that requires an affirmative responsibility to report PREA concerns privately.

§115.52 – Exhaustion of Administrative Remedies

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

Palmer does not meet all the elements of this standard. The Agency will need to add language to the Grievance policy that addresses the process of receiving a PREA allegation through the grievance system in accordance to the PREA standard.

§115.53 – Inmate Access to Outside Confidential Support Services

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

Palmer demonstrated compliance with all elements of this standard. Alaska Family Services have done a commendable job ensuring that these services are available for the offender population. The Agency has a Memorandum of Understanding with Alaska Family Services that provides inmates with access to outside victim advocates for emotional support services related

to sexual abuse. AKFS comply with the national standards to prevent, detect, and respond to prison rape under the Prison Rape Elimination Act.

Suggestion by the Auditor, is to enhance offender awareness of these services and recommend clearer information be provided regarding the confidentiality of these services.

§115.54 – Third-Party Reporting

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

Palmer had demonstrated compliance in all elements of this standard. There are multiple methods that can be utilized for third party reporting. The Agency directs that regardless of how a report is received, it will be investigated.

It is a recommendation that the Agency publish to their website, a hotline number or a way for family/friends of inmates be able to report sexual abuse or harassment.

§115.61 – Staff and Agency Reporting Duties

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

Palmer demonstrated compliance with all elements of this standard. They have a process outlined in policy that requires staff to report any knowledge, suspicion or information regarding an incident of sexual abuse, sexual harassment that occurred in a correctional facility, regardless if it is part of the agency.

Medical and Mental Health staff have received PREA Training which includes information related to their reporting responsibilities. The facility has a policy that outlines all allegations, including third party or anonymous reports to be reviewed and assigned for appropriate investigation.

§115.62 – Agency Protection Duties

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

Palmer has demonstrated compliance with all elements of this standard. The Facility complies with the Agency Protection Duties that outlines staff responsibilities related to keeping an offender safe when it is learned that they may be at substantial risk of imminent sexual abuse.

§115.63 – Reporting to Other Confinement Facilities

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

Palmer does not meet all the elements of this standard. The Agency will need to add language to their policy that, upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of the facility must notify the head of the facility or appropriate office of the agency or facility where sexual abuse is alleged to have occurred.

§115.64 – Staff First Responder Duties

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

Palmer demonstrated compliance with all elements of this standard. All staff from the Superintendent to random staff and first responders knew of their responsibility to report. The first responder duties are written in the Alaska Department of Corrections Policy, 808.19 which directs employees and contract staff to separate the accused from the alleged victim and witnesses. The Shift Commander then initiates a Response and Containment Checklist or the Aggravated Sexual Assault Checklist based upon the information received.

§115.65 – Coordinated Response

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

Palmer demonstrated compliance with all elements of this standard. All staff from the Superintendent to random staff and first responders knew of their responsibility to report. The first responder duties are written in the Alaska Department of Corrections Policy, 808.19 which directs employees and contract staff to separate the accused from the alleged victim and witnesses. The Shift Commander then initiates a Response and Containment Checklist or the Aggravated Sexual Assault Checklist based upon the information received.

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

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

Palmer demonstrated compliance to all elements of this standard. The Agency has not entered into or renewed any Collective Bargaining Agreement or other agreements since August 20, 2012.

§115.67 – Agency protection against retaliation

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

Palmer does not meet all the elements of this standard. The Agency will need to establish a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff.

The Facility will designate which staff members or departments are charged with monitoring retaliation and implement a tracking system to monitor retaliation perpetrated by staff and inmates. These checks are documented monthly and forwarded to the Superintendent for his review.

§115.68 – Post-Allegation Protective Custody

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

Palmer does not meet all the elements of this standard. The agency will need to add language to their policy prohibiting the placement of inmates who allege to have suffered sexual abuse in involuntary segregated housing unless an assessment of all available alternatives has been made and a determination has been made that there is no available means of separation from likely abusers.

Although not in policy, Palmer does prohibit placing inmates at high risk for sexual victimization in involuntary segregated housing in lieu of other housing units. The facility attempts to find alternatives as soon as possible for liability purposes.

§115.71 – Criminal and Administrative Agency Investigations

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

Palmer does not meet all the elements of this standard. Palmer has demonstrated that all allegations of sexual abuse and sexual harassment are all investigated, including anonymous and third party reports. Criminal investigations are referred to Alaska State Troopers and administrative investigations are conducted by the agency staff.

However, the Agency/Facility staff has not received specialized training in conducting PREA related investigations in a confinement setting. The Agency does not have an Investigations Unit that conducts its own investigations into allegations of sexual abuse and sexual harassment. Each facility handles its administrative investigations.

§115.72 – Evidentiary Standard for Administrative Investigations

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

Palmer demonstrated compliance with all elements of this standard. The Agency/Facility meets for evidentiary standards of administrative investigations. The Agency handles the administrative findings at the Executive level at each facility when determining allegations of sexual abuse or sexual harassment is substantiated.

The findings in an investigation of sexual abuse and sexual harassment are based on a preponderance of evidence.

§115.73 – Reporting to Inmate

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

Palmer does not meet all the elements of this standard. The agency will need to develop a policy requiring that any inmate who makes an allegation that he or she suffered sexual abuse

in an agency facility is informed, verbally or in writing, as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation by the agency. The agency will need to develop a protocol that outlines the following:

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

- (1) The staff member is no longer posted within the inmate's unit;
- (2) The staff member is no longer employed at the facility;
- (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.

Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:

The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or

The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.

The agency needs to include in its policy that all notifications to inmates described under this standard are documented.

§115.76 – Disciplinary sanctions for staff

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

Palmer has demonstrated compliance with all elements of this standard. Palmer follows Policy 808.19, Prison Rape Elimination Act (PREA). It covers any employee determined to have engaged in sexual misconduct with a prisoner shall be subject to discipline consistent with the employee standards of conduct and or/collective bargaining agreement. The employee shall be referred for criminal prosecution.

§115.77 – Corrective action for contractors and volunteers

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

Palmer demonstrated compliance with all elements of this standard. Palmer demonstrated compliance which requires all reports of sexual abuse and sexual harassment be investigated.

§115.78 – Disciplinary sanctions for inmates

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

Palmer has demonstrated compliance with all elements of this standard. Offenders at Palmer are subject to disciplinary sanctions as part of an administrative hearings process. The hearings process and sanctions imposed are clearly described in Policy 809.02, Prisoner Rules and Discipline.

The disciplinary process allows the hearings officer to consider mental disabilities/mental illness and utilizes a sanctioning grid to ensure sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed are comparable for same offenses committed by other inmates with similar histories.

The Agency/Facility prohibits all sexual activity between inmates and disciplines inmates for such activity, the agency deems such activity to constitute sexual abuse only if it determines that the activity is coerced.

§115.81 – Medical and mental health screenings; history of sexual abuse

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

Palmer does not meet all the elements of this standard. The Agency/Facility will need to put in place a screening pursuant to the Standard 115.81 Medical and Mental Health screenings; history of sexual abuse. Inmates who have disclosed any prior sexual victimization during a screening are ordered a follow up meeting with a medical or mental health practitioner. This meeting needs to take place within 14 days of the intake screening. The Agency/Facility will also need to put in place all prison inmates who have previously perpetrated sexual abuse as indicated during a screening to the standard, are offered a follow up meeting with a mental health practitioner within 14 days of the intake screening.

All offenders are screened during the intake process and asked a series of questions that include if they had ever been assaulted in your life, including sexually while in jail or prison; Has anyone ever accused you of being sexually aggressive; or is it difficult to stand up for yourself. Any offender providing information indicating past victimization or sexual abusiveness is immediately referred for a follow up meeting with a mental health practitioner.

Medical and Mental Health staff are aware of their duty to report any incident of sexual abuse that had occurred in an institutional setting and the need to obtain an informed consent in cases that did not occur in a correctional setting, unless the offender was under the age of 18.

§115.82 – Access to emergency medical and mental health services

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

Palmer has demonstrated compliance with all elements of this standard. Inmates who report sexual abuse are provided immediate access to medical and mental health care at no cost to the inmate. When a report of sexual abuse is reported, Palmer Staff take immediate steps to protect the inmate and to report the information to medical.

Medical staff has received specialized training in how to preserve evidence and ensure that the victim is provided timely information about emergency contraception and sexually transmitted disease prophylaxis when medically appropriate. Care is provided for victims of sexual abuse at no cost to the inmate regardless of whether or not they cooperate in identifying the abuser or cooperate with the investigation.

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

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

Palmer has demonstrated compliance with all elements of this standard. Palmer provides services to offender victims regardless of their cooperation with investigators or refusal to identify an aggressor. Palmer provides medical and mental health care to all inmates who have reported to be victims of sexual abuse in an institutional setting at no cost to the inmate.

The Facility offers medical and mental health evaluation, treatment to all inmates who have been victimized by sexual abuse. They also provide treatment services to the victim without financial cost and will conduct mental health evaluations of all known inmate on inmate abusers within 60 days of learning of the abuse and will provide treatment deemed appropriate by mental health.

§115.86 – Sexual abuse incident reviews

- Exceeds Standard (substantially exceeds requirement of standard)

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

Palmer does not meet all the elements of this standard. The Agency/Facility will need to 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.

The Facility will need to conduct a sexual abuse incident review within 30 days of the conclusion of the criminal or administrative sexual abuse investigation. The Agency/Facility will need to establish a sexual abuse incident review team that includes upper-level management officials and allows for input from line supervisors, investigators, and medical or mental health practitioners.

The Facility will need to prepare a report of its findings from sexual abuse incident reviews and any recommendations for improvement, and submits such report to the facility head and PREA Compliance Manager. The facility implements the recommendations for improvement or documents its reasons for not doing so.

§115.87 – Data Collection

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

Palmer does not meet all the elements of this standard. The Agency has a newly developed database but it is not automated as of this date. The agency system does encompass all the requirements in this standard. The agency will need incorporate a standardized instrument that includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

The Agency will need to collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using the standardized instrument. The agency aggregates the incident-based sexual abuse data at least annually.

The Agency will need to obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates. The agency then need to provide the Department of Justice with data from the previous calendar year upon request.

§115.88 – Data Review for Corrective Action

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

Does Not Meet Standard (requires corrective action)

Palmer does not meet all the elements of this standard. The Agency will need to establish a process that reviews data collected and aggregated pursuant to §115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training. This includes: Identifying problem areas; Taking corrective action on an ongoing basis; and Preparing an annual report of its findings from its data review and any corrective actions for each facility, as well as the agency as a whole. This data is compiled from all agency facilities and aggregated into a report that is submitted to the agency secretary for review and to U.S. Department of Justice upon request.

§§115.89 – Data Storage, Publication, and Destruction

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Palmer does not meet all the elements of this standard. The Agency/Facility policy will need to require aggregated sexual abuse data from facilities under its direct control and private facilities with which it contracts be made readily available to the public, at least annually, through its website. Prior to making it publicly, the agency will remove all personal identifiers.

The Agency PREA Coordinator will need to collect data and reports from all facilities and compile a report annually of investigations of all allegations of sexual abuse and sexual harassment.

The Agency Coordinator will compile the report which consists of prevention and response, findings of corrective action and the assessment of the Department's progress in addressing sexual abuse and sexual harassment against previous years. The Agency PREA Coordinator will then submit the report for review. Once the review is complete a copy is then placed on the department's website. All data and reports are submitted to the U.S. Department of Justice upon request.

The PREA Coordinator is responsible for maintaining all electronic records of sexual abuse and sexual harassment cases pursuant to the state's Records Retention Schedule.

All investigation records are retained for 5 years after the close of the investigation. Excluded are records covered by the Prison Rape Elimination Act which are retained for 50 years after the close of the investigation. This includes incident and investigative reports, evidence cards, photographs, interviews, and other related items.

AUDITOR CERTIFICATION: The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.

Shamroque D Alvis-Hill

February 01, 2015

Auditor Signature

Date



Final Report 2-01-2015

