

**PREA AUDIT REPORT     Interim  Final**  
**ADULT PRISONS & JAILS**

**Date of report:** June 29, 2016

<b>Auditor Information</b>			
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<b>Date of facility visit:</b> June 1, 2, 3, 2016			
<b>Facility Information</b>			
<b>Facility name:</b> Loudoun County Adult Detention Center			
<b>Facility physical address:</b> 42035 Loudoun Center Place, Leesburg, VA 20175			
<b>Facility mailing address:</b> <i>(if different from above)</i> N/A			
<b>Facility telephone number:</b> (703) 777-0405			
<b>The facility is:</b>	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input checked="" type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
<b>Facility type:</b>	<input type="checkbox"/> Prison	<input checked="" type="checkbox"/> Jail	
<b>Name of facility's Chief Executive Officer:</b> Sheriff Michael L. Chapman			
<b>Number of staff assigned to the facility in the last 12 months:</b> 120			
<b>Designed facility capacity:</b> 460			
<b>Current population of facility:</b> 375			
<b>Facility security levels/inmate custody levels:</b> Minimum, Medium, Maximum Security			
<b>Age range of the population:</b> 18-69			
<b>Name of PREA Compliance Manager:</b> Michael Cox		<b>Title:</b> Captain – PREA Coordinator	
<b>Email address:</b> Michael.Cox@loudoun.gov		<b>Telephone number:</b> (703)771-5212	
<b>Agency Information</b>			
<b>Name of agency:</b> Loudoun County Sheriff's Office			
<b>Governing authority or parent agency:</b> <i>(if applicable)</i> County of Loudoun, Virginia			
<b>Physical address:</b> 803 Sycolin Rd SE, Leesburg, VA 20175			
<b>Mailing address:</b> <i>(if different from above)</i> P.O.Box 7200, Leesburg, Virginia 20177			
<b>Telephone number:</b> (703)777-0407			
<b>Agency Chief Executive Officer</b>			
<b>Name:</b> Michael L. Chapman		<b>Title:</b> Sheriff	
<b>Email address:</b> Michael.chapman@loudoun.gov		<b>Telephone number:</b> (703)777-0407	
<b>Agency-Wide PREA Coordinator</b>			
<b>Name:</b> Michael Cox		<b>Title:</b> Captain	
<b>Email address:</b> Michael.cox@loudoun.gov		<b>Telephone number:</b> (703)771-5212	

## **AUDIT FINDINGS**

### **AUDIT PROCESS OVERVIEW**

The Loudoun County Sheriff's Office located in Leesburg, Virginia contracted with David Kidwell of Unique Solutions LLC to conduct an audit of the Loudoun County Adult Detention Center. The purpose of the audit was to determine compliance with the Prison Rape Elimination Act (PREA) standards. The contractor is a certified Department of Justice PREA Auditor.

The auditor wishes to extend his appreciation to Sheriff Mike Chapman and his staff for their professionalism and hospitality shown throughout the audit process. During the audit it became very obvious that Sheriff Chapman and his staff took extra measures to ensure a successful audit by having his staff participate in the Metropolitan Council of Governments Corrections Chiefs PREA Sub Committee for regional preparation and sharing of resources to ensure successful PREA audits in the region. Sheriff Chapman and his Jail Commander Major Mike Manning also sent the PREA Coordinator Captain Mike Cox to PREA auditor training. Captain Cox was well prepared and very organized for this audit. Captain Cox has also participated as a guest speaker for the International Association of Chiefs of Police as a subject matter expert on the PREA standards for Lockups. Captain Cox has also assisted other facilities preparing for PREA audits. The extra efforts and commitment are commendable and should be the example for others to follow.

Six weeks in advance of the on site audit, posters were hung throughout the facility announcing the purpose of the upcoming audit. The posters included the auditors contact information and allowed for inmates to send any concerns or questions prior to the on-site visit. Verification was made through photographs. There were no complaints sent to the listed address.

Pre audit preparation included a thorough review of all documentation and materials submitted by the facility. The documentation included the Pre Audit Questionnaire, checklist of documentation, policies and procedures, brochures, charts, contact lists, assessments, memos, handbooks, website information, and all materials needed to demonstrate compliance with the PREA standards.

The onsite portion of the audit was conducted on June 1, 2, and 3, 2016. During the three-day visit, the auditor was given a very extensive tour of the facility by the PREA Coordinator and observed the location of cameras, staff supervision of inmates, housing unit layouts to include showers and toilets, program areas, recreation areas, kitchen, laundry, and staff areas. The auditor talked informally to staff and inmates during multiple visits throughout the facility. Following the tour, the auditor began the interviews and reviews of investigation files, personnel files, training records, inmate records, and other documentation collected. There were no sexual assaults reported during the last 12 months.

Fifteen inmates were formally interviewed. The auditor, from a daily list sorted by housing areas, randomly selected those interviewed. An inmate from each area of the facility was interviewed. There were no inmates who identified as being transgender in the facility during the audit. There were no youthful offenders housed in the jail during the audit. A total of 5 additional inmates that were informally interviewed in housing units during the tour. All inmates interviewed indicated they know how to report sexual abuse and sexual misconduct and felt safe.

Twenty-four staff members were formally interviewed and randomly selected by the auditor. Interviews included sworn staff of all ranks and areas and contractors having access to inmates. Staff is well trained and from the interviews it was apparent that staff morale was high. The auditor was very impressed with current leadership training incentives, employee merit award incentives, and the culture and the positive atmosphere. Each person interviewed said they were trained and responded to interview questions appropriately.

While at the facility, the auditor reviewed staff and inmate training records, reports, and inmate case files. The auditor reviewed all Investigative reports of sexual misconduct or abuse allegations.

On site test phone calls to the Rape, Abuse, and Incest National Network (RAINN), Virginia Sexual and Domestic Violence Action Alliance (VSDVAA), and other outside vendors and resources used for reporting purposes were made for validation and to ensure proper reporting processes were in place. All were in compliance.

## **DESCRIPTION OF FACILITY CHARACTERISTICS**

The Loudoun County Adult Detention Center (ADC) is located at 42035 Loudoun Center Place, Leesburg, Virginia. The Detention Center encompasses approximately 24 acres and is situated on the outskirts of the town of Leesburg. The facility is comprised of approximately 200,000 square feet and maintains a rated capacity certified by the Department of Corrections at 570 beds. The facility was opened in 2007 and expanded in 2012. The ADC consists of direct, indirect, and podular remote supervision. Video monitoring systems are strategically placed throughout the facility to enhance security and surveillance. Security rounds are conducted at a minimum twice hourly.

The ADC houses inmates arrested by the Loudoun County Sheriff's Office, Leesburg Police Department, Purcellville Police Department, Middleburg Police Department, Northern Virginia Community College Police Department, Virginia State Police, Mount Weather Police Department, and the Metropolitan Washington Airport Authority PD. The ADC houses inmates of all classification levels, both male and female, pre-trial and sentenced inmates waiting to be transferred to the Virginia Department of Corrections. The ADC does not house youthful offenders but has housing for emergency situations that meet PREA standards.

The designed facility capacity is 460 with an average daily population of 328 (2015 stats - 283 males, 45 females) with 4,196 commitments. The facility employs 200 sworn and 18 civilian staff members. The staffing plan is within accepted guidelines. Overtime is used to fill mandatory posts if needed and a preferred staffing level is mandated and monitored by the ADC Captain of Operations. There are 16 pods that house inmates with a staff ratio to inmates, depending on the population, of 1-2 / 48.

The ADC offers various types of programs and religious services for inmates and promotes a re-entry program that prepares inmates leaving with knowledge, skills, and abilities that aid in a productive life.

The ADC provides for onsite mental health and medical services, which includes 24/7 medical personnel on site. The intake section also has medical on site 24/7.

The Loudoun County Adult Detention Center did not have any judicial findings of during this rating period.

## **SUMMARY OF AUDIT FINDINGS**

As a result of this auditor's findings, interviews, and thorough review of policy, practices, and on site examinations it is determined that the Loudoun County Adult Detention Center is found to be in full compliance with the established standards for the Prison Rape Elimination Act Standards for Jails and Prisons. The results are a direct reflection of the agency's zero tolerance policy and leadership.

It is this auditor's recommendation that a full time, high ranking PREA Coordinator with sufficient time and authority be assigned to the agency for the specific purpose of organizing, implementing, and maintaining the high volume of work needed to continue the success it has established. The assigned duties currently fall under the supervision of ADC Captain of Administration. It is this auditor's recommendation that if the opportunity presents itself, that LCSO executive staff approach county administration and request that a high ranking FTE be allocated to meet the federal government mandate, required by the Prison Rape Elimination Act, to focus solely on the many duties, and tasks, and responsibilities it takes to maintain the zero tolerance program established by the agency.

Number of standards exceeded: 1

Number of standards met: 42

Number of standards not met: 0

Number of standards not applicable: 0

**Standard 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)

The LCSO has a General Order that clearly outlines a zero tolerance policy with regards to sexual abuse and sexual misconduct.

The office has designated an upper level PREA Coordinator (Captain) who reports directly to the Division Commander.

The office has a reporting process that includes a trained investigator(s) to manage reports and allegations of misconduct. Files were examined and are consistent with training and guidelines.

During on site examinations and interviews involving inmates and staff, it is clear that a program is in full compliance with standards.

Evidence:

- Loudoun County Sheriff’s Office General Order 115.11
- Loudoun County Sheriff’s Office Organizational Chart 2015
- Interview with facility PREA Coordinator
- Interviews with supervisory and line staff and inmates
- Interview with PREA Investigator
- Zero tolerance posters hung throughout facility
- Completed Pre-Audit Questionnaire
- Inmate handbook and brochure issued to inmates
- Review of the inmate, volunteer and staff training
- Review of staff and inmate files

**Standard 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)

The LCSO contracts with the Peumansend Creek Regional Jail located in Bowling Green, Virginia, to house minimum security inmates. The Peumansend Creek Regional Jail successfully passed the Prison Rape Elimination Act audit on September 4, 2014.

An on site review of contracts were conducted and each had conditions that included compliance with PREA standards to include training and immediate reporting practices.

Evidence:

- PREA final report from Peumansend Creek Regional Jail.
- Interviews with PREA Coordinator, Jail Commander
- PRE-Audit Questionnaire

**Standard 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)

LCSO has a formalized written staffing plan that addresses the mandatory eleven elements required by the standard.

The office has mandated staffing for posts that supervise inmates and backfill unscheduled and scheduled absences with overtime if needed.

Unannounced rounds on all shifts are conducted and recorded on a computer generated daily log.

During the review period the LCADC was successfully audited by the US Marshal Service, and the Virginia Department of Corrections. There were no findings of inadequacy from either audit.

During the onsite tour it was brought to the auditor’s attention that there was one area in the laundry room the agency felt was a blind spot away from camera view and a potential concern. Months prior to the audit, the agency placed a high security lock on the identified area and restricted access to inmates. A key must be checked/logged out by staff that enter this area. The auditor reviewed this area and process and found that the concerns were genuine and the resolution was more than adequate. There were no other blind spots noticed by the auditor during the tour and review. This continues to be monitored during monthly incident reviews.

The facility has over 200 cameras that are monitored by on post staff, control and accessed by investigators and supervisors as needed. The storage of video is 30 days.

Evidence:

- Review of staffing plan
- Interviews with PREA Coordinator, Security Captain, staff, inmates.
- Review of annual staffing analysis
- General Order 503.9,G - 5 – Unannounced rounds
- Review of daily posts logs
- Pre-Audit Questionnaire
- Population report

**Standard 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)

The LCADC does not house youthful inmates. There were no youthful inmates housed during the on site tour and reviews.

The LCADC has an emergency contingency to house youthful inmates that complies with the youthful inmate standard. The agency has a housing area that is separated by sight and sound from adult inmates that provided the separate services, classroom area, recreation area and toilet/shower area.

Evidence:

- Visual inspection during on site tour
- Daily population reports
- Interviews from PREA Coordinator, Staff, Jail Commander
- Review of General Orders

**Standard 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)

The LCADC policy allows for same sex strip searches for exigent circumstances.

All searches are documented per policy.

The LCADC staffing allows for enough females on shift to conduct pat downs for female inmates.

LCSO policy and practice ensures that inmates are allowed to shower, use the restroom, and change clothing with privacy. An onsite test by placing a fully dressed subject into the shower area and view of camera position was conducted and found to be within compliance.

Policy and practice require opposite gender announcements be made when entering inmate housing areas.

Policy and training at the Northern Virginia Criminal Justice Academy has provided training to staff regarding how to conduct cross-gender pat down searches and transgender inmates.

Evidence:

- General Order 503.9 PREA
- General Order 503.9 G-2 : Shower
- General Order 701.05: Searches
- Pre-Audit Questionnaire
- Staff and inmate interviews
- Search Logs
- Visual examination of pat-downs on site
- Interview with medical HSA
- No medical transgender or intersex searches conducted
- Memo/email from trainer to staff with search procedures, PowerPoint presentation, and full search handout for squad training.
- Staff training sign off sheets.

**Standard 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)

LCSO General Orders requires inmates with disabilities and inmates who are limited English have an equal opportunity to participate in or benefit from the agency’s efforts to prevent, detect, and respond to sexual abuse and harassment.

Inmates with disabilities or have limited English are identified at the screening process. Staff has access to language line, TTY, TDD devices, wheel chairs, and sign cards with PREA language at intake and LEP guides. The facility has access to the Loudoun County ADA Coordinator for on site interpreter needs, and other special accommodations.

The facility is currently working on a contract for videophones for interpretation needs.

Posters, handbooks and literature are in English and Spanish.

Inmates are not used for interpretation. If needed, the supervisor will contact the ADA Coordinator.

There have been no instances in the past twelve months where resident interpreters have been used.

Evidence:

- LCSO General Orders 503.9 A,C,D
- Pre-Audit Questionnaire
- Interviews with PREA Coordinator Captain Cox, Major Manning, staff and inmates.
- Interview with ADA Coordinator
- Review of inmate handbook and posters in English and Spanish, deaf and hard of hearing PREA cards.



### **Standard 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)

The agency does not hire or promote anyone who may have contact with inmates or enlist the services from anyone who has engaged in sexual abuse in a prison, jail, or lockup, community confinement facility, juvenile facility, or other institution. This includes criminal charges or administrative adjudication.

During the hiring and promotional review process incidents of sexual abuse and sexual harassment are investigated. A criminal history is conducted on every person to include contractors before having access and contact with inmates. Backgrounds on staff and contractors are conducted at minimum every five years. The agency offers background information to other agencies upon request to a potential employer with a signed release from the applicant who worked for the agency.

Evidence:

- General Order: Recruitment 320
- Interview with HR supervisor Patty Russell
- Interview with PREA Coordinator Captain Cox
- Pre-Audit Questionnaire
- Review of staff files

### **Standard 115.18 Upgrades to facilities and technologies**

- 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)

There are no immediate plans for upgrading camera technology in the facility. This auditor examined the camera placement and coverage in each area and found the coverage to be more than adequate. Placement of cameras is discussed in monthly meetings to ensure no blind spots and coverage is adequate. The facility is in the process of acquiring videophones.

Evidence:

- On site inspection
- Minutes to monthly PREA meetings
- Interview with PREA Coordinator, Jail Commander
- Pre-Audit Questionnaire
- Examination of identified blind spot and resolution

**Standard 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)

The Loudoun County Sheriff’s Office investigates all allegations of sexual abuse and does not refer investigations to an outside agency. Investigators are trained to use the U.S. Department of Justice’s National Protocol for Sexual Assault Medical Forensic Examinations. The LCADC uses INOVA Fairfax Hospital SANE to provide care to victims of sexual abuse in their custody. Victim advocates and mental health services are provided at INOVA for emotional support and crisis intervention. LCADC has on site mental health support with a referral system for outside services if needed.

There were no referrals during this review period.

Evidence:

- General Orders: 411.10 Investigations
- Interview with Investigator
- Interview with Director of SANE Operations
- Interview with HSA Susan Neeb
- Review of training records for Investigators
- Review of lesson plan for inclusion of DOJ’s National Protocol
- Interview with PREA Coordinator
- Review of MOU with INOVA
- General Order 509.3 E6 and E8
- Completed Pre-Audit Questionnaire

**Standard 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)

The LCSO has very detailed General Orders that require them to ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. The LCSO completes the investigation, as staff is sworn law enforcement officers. Internal Investigations on staff for employee misconduct are initiated by executive command and conducted by Investigators with specialized training to conduct PREA investigations. Detailed investigative records are kept for review.

The LCSO website publishes its zero tolerance policy and mandatory reporting and investigation practices.

The LCADC reports no allegations of sexual abuse that have been received in the last 12 months.

Evidence:

- Interview with Investigator
- Interview with Jail Commander
- Pre-Audit Questionnaire
- Onsite review of investigative files
- Web site review for policy – <https://sheriff.loudoun.gov/index.aspx?nid=218>

**Standard 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)

The LCADC requires all staff that have contact with inmates to have training on Sexual Abuse and Sexual Misconduct. A review of the lesson plan shows compliance with the standard. Staff were well educated and understood their roles and responsibilities with PREA. The facility reports 100% compliance with training.

Evidence:

- General Order 503.9 – (B) Staff Training
- Staff interviews
- Review of training sign off sheets
- Review of training lesson plans
- Pre-Audit Questionnaire
- Review of personnel files

**Standard 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)

The agency has a General Order that mandates PREA training for contractors. On site volunteer and contractor interviews indicate that contractor and volunteer training is being conducted before being allowed access to inmates. An on site review of training plans and sign off sheets was conducted.

Evidence:

- Review of contractor orientation PREA PowerPoint presentation.
- Review of agency training sign off sheets.
- Interviews with medical and food contractors, barbershop employees, maintenance personnel, and volunteers.
- Pre-Audit Questionnaire
- Review of LCADC Entrance Agreement.
- General Order 503.9 Staff Training

### **Standard 115.33 Inmate education**

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

The LCADC educates all inmates during the intake/booking process. Each inmate reviews a PREA video, is given a pamphlet with PREA information and hotline numbers and receives an inmate handbook with PREA information that includes detailed information about PREA, the agency's zero tolerance policy, and how to report incidents.

Accommodations are made for inmates with disabilities.

This area of performance is well above meets standards and this auditor was very impressed with the level of training and resources available to inmates.

#### **Evidence:**

- General Order 503.9 (C) Inmate Education
- On site examination of supervisor review sheet at intake with dates and times of PREA information.
- Mobile PREA video station with PREA video.
- Interview with intake supervisor and staff.
- Completed Pre-Audit Questionnaire
- On site examination of inmate files with sign off sheets.
- On site examination of video station
- Review of inmate handbook
- PREA handout
- PREA posters
- Interviews with random inmates
- Random sample of inmate files
- PREA Flash Cards for the deaf and hard of hearing

### **Standard 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)

The LCADC conducts its own investigations. Captain Richardson is assigned to conduct PREA investigations and has been properly trained. Captain Richardson has attended several classes to include conducting sexual investigations in a confinement setting. Captain Richardson retains files on each investigation conducted. Each investigation conducted is reviewed by the chain of command. Results of an investigation can include criminal prosecution if the need is determined.

Evidence:

- Interview with Captain Richardson
- Interview with PREA Coordinator and Jail Commander
- Review of training certificates.
- Review of class training lesson plans
- Review of investigative files
- Completed Pre-Audit Questionnaire

**Standard 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)

The LCADC contracts with Correct Care Solutions for on site medical care. No sexual abuse examinations are conducted at the LCADC. PREA victims are transported to INOVA Fairfax SANE to conduct forensic medical exams.

All medical and mental health staff is required to receive PREA training prior to working with inmates. This training is documented.

Loudoun County Community Service Board provides mental health services. The ADC provides PREA Training.

Evidence:

- General Orders 509.3 (B) Staff Training
- Interview with Medical HSA
- Interview with MH Staff
- Interview with MH Dr.
- Interview with INOVA
- Review of INOVA / ADC Contract
- Pre-Audit Questionnaire
- Review of lesson plan
- Review of sign off sheets

**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)

LCSO General Order requires that an initial assessment of jail adjustment be completed at intake and a more formal interview be completed no more than 72 hours after the initial assessment. Inmates are reassessed within 30 days of commitment. An on site inspection of documents shows compliance with this standard.

General Order 503.9 IV details the PREA Intake Screening tool that includes required criteria needed for compliance.

Evidence:

- LCSO General Order 704.01 Inmate Classification, 704.04 Committal of Inmates, 503.9 IV Prevention and Screening
- Interview with Intake Supervisor
- Interview with Staff Conducting assessment and reviews
- Review of inmate files
- Pre-Audit Questionnaire
- Review of Re-assessment screenings

**Standard 115.42 Use of screening information**

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

The LCSO General Orders state that information used during the initial screening will be used to determine the housing assignment for each inmate. Inmates at risk are evaluated on a case-by-case basis to ensure safety. Re-assessments are done within 30 days.

There are no dedicated housing areas for LGBTI inmates.

There have been no LGBTI inmates housed within the last 12 months.

Evidence:

- On site inspection
- Interview with PREA Coordinator
- General Order 503.9 IV A.3, 6, 7
- Interviews with staff
- Review of assessments
- Pre-Audit Questionnaire

**Standard 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)

LCSO General Orders indicate that inmates considered at risk for sexual victimization shall only be placed in involuntary segregation if there is no alternative housing available. Such placement shall not exceed 30 days and clear documentation is made.

Evidence:

- General Order 503.9 IV A 6,8
- Interview with PREA Coordinator
- Pre-Audit Questionnaire
- Interviews with intake staff
- Interview with Intake supervisor

**Standard 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)

During the onsite inmate interviews it was quickly apparent that inmates knew how to report abuse several different ways. The most popular way was directly to staff. Inmates stated they trust staff in the facility and did not have an issue with reporting in writing or verbally to staff. Inmates were able to recite resources like the inmate handbook, posters or website for third party reporting.

Calls to hotlines are free of charge from the inmate phone system.

Evidence:

- Inmate handbook
- Loudoun Citizens for Social Justice/LAWS MOU
- Rape Abuse and Incest National Network RAINN
- Virginia Sexual and Domestic Action Alliance VSDVAA
- General Order 503.9 D Inmate Reporting
- Interviews with randomly selected inmates
- Review of Website
- Interview with PREA Coordinator
- Onsite inspection review of handbook, posters, and brochures
- Onsite calls to hotline numbers
- Interview with LAWS Hotline supervisor

**Standard 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)

The agency has a formal grievance policy with written instructions on how to use in the inmate handbook. There is no time limit on filing grievances for PREA and there is no requirement on filling out the form. Assistance is provided for limited English inmates.

Evidence:

- General Order 704.09 Inmate Grievance Procedures
- Inmate Handbook – Grievance Process
- General Order 503.9 D-8, E-1
- Interviews of randomly selected inmates
- Pre-Audit Questionnaire
- Grievance form
- Interview with PREA Coordinator
- Interview with Investigator

**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)

The LCSO has entered into an agreement with Loudoun Citizens for Social Justice/LAWS, which upon referral will provide support and crisis intervention at no charge to the victim. The numbers are provided in brochures and handbooks given to the inmate upon commitment.

The LCSO General Orders allow inmates to have access to outside victim advocates for emotional support services related to sexual abuse. The ADC has on site Mental Health services provided by the Community Services Board.

Evidence:

- General Orders 503.9 E-6
- Brochure
- Inmate Handbook
- MOU with LAWS/LCSO
- Interview with LAWS staff
- Interview with PREA Coordinator
- Interviews with randomly selected inmates
- Pre-Audit Questionnaire

**Standard 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)

The LCSO Website provides information on third party reporting. Inmates identified the inmate handbook, posters, and brochures as to resources on instructions of how to report PREA incidents through a third party.

There have been no third party reports during this rating period.



Evidence:

- Inmate Handbook
- Brochure
- LCSO Website
- Inmate Interviews
- Pre-Audit Questionnaire
- Interview with PREA Coordinator

**Standard 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)

Per the LSCO General Orders staff are required to immediately report to their supervisor, any knowledge, suspicion, or information regarding sexual abuse or sexual harassment. Information reported is strictly confidential.

Evidence:

- General Order 503.9 E-2, 3,4,7 / K
- Staff Interviews
- PREA Coordinator Interview
- Investigator interview
- Contractor Interviews
- Training Lesson Plans

**Standard 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)

General Orders allow for protective measures for at risk inmates. There have been no reports of this kind during this rating period. Interviews with staff and supervisors indicate that inmates can be moved to other facilities in Virginia if necessary for protection.

Evidence:

- Interview with Investigator
- Pre-Audit Questionnaire
- Interviews with staff
- Interview with PREA Coordinator
- General Order 503.9 IV-4, 6, 7, 8

**Standard 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)

Inmates who report PREA incidents from other facilities are reported to the Jail Director immediately and proper notifications are made within 72 hours. There have been no reports of incidents during this rating period.

Evidence:

- General Orders 503.9 D-10
- Interview with PREA Coordinator
- Interview with Jail Commander
- Pre-Audit Questionnaire

**Standard 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)

On site staff and contractor interviews indicate that a good amount of training went into teaching staff how to respond to PREA incidents. All reported reporting immediately, separate victim from abuser, preserve evidence, and secure the scene for evidence collection.

Evidence:

- General Orders 503.9 E-2, 5 and F-1
- Training lesson plans
- Interview with PREA Coordinator
- Interviews with staff
- Decision tree handout
- Pre-Audit Questionnaire

**Standard 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)

The LCSO General Orders outline a step-by-step coordinated response from start to finish to include detailed responses section by section.

Evidence:

- General Order 503.9
- Interview with PREA Coordinator

- Interviews with staff
- Interviews with medical and mental health contractors
- Pre-Audit Questionnaire

**Standard 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)

The LCADC does not have any collective bargaining agreements in place.

State Code § 40.1-57.2. Prohibition against collective bargaining. No state, county, municipal, or like governmental officer, agent or governing body is vested with or possesses any authority to recognize any labor union or other employee association as a bargaining agent of any public officers or employees, or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment or service. (1993, cc. 868, 879.)

Evidence:

- Interview with PREA Coordinator
- Interview with Jail Commander
- Pre-Audit Questionnaire
- State Code

**Standard 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)

LCSO General Orders includes agency protection against retaliation up to and including termination of staff that participate in any misconduct or retaliation. General Orders also provide for protection from retaliation by other inmates or staff. The PREA Coordinator will monitor retaliation for a minimum of 90 days following a report unless the allegations were unfounded. Incidents of retaliation are reported immediately. Inmates can be transferred if necessary to other local facilities according to Virginia State Code.

Evidence:

- General Orders 503.9 D-9, E-7.
- Interview with PREA Coordinator
- Pre-Audit Questionnaire
- Interview with Investigator

**Standard 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)

The LCADC has alternative housing for post allegation protective custody that is subject to the requirements of standard 115.43.

Evidence:

- General Order 503.9 IV A-8, 10.
- Interview with Investigator
- Interview with PREA Coordinator
- On site tour of facility
- Pre-Audit Questionnaire

**Standard 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)

The LCSO conducts its own criminal and administrative investigations. The Investigator has completed specialized training to conduct PREA investigations in a confined setting. Protocols detail how evidence shall be collected. There have been zero substantial allegations of conduct that appear to be criminal that were referred to prosecution since August 20, 2012.

Evidence:

- Sexual Misconduct / PREA Investigation Checklist
- General Order 600 Criminal Investigations
- General Order 601 Case Management
- General Order 602 Operational Procedures
- General Order 608 Sex Crimes Investigations
- General Order 503.9 H-4,5
- Interview with Investigator
- Training lesson plans for investigative training
- Pre-Audit Questionnaire
- Interview with PREA Coordinator

**Standard 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)

The LCSO imposes a standard of a preponderance of evidence or a lower standard of proof when determining whether allegations of sexual abuse or sexual harassment are substantiated.

Evidence:

- Interview with Investigator
- Interview with PREA Coordinator
- Pre-Audit Questionnaire
- General Order 503.9 H-3

**Standard 115.73 Reporting to 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)

The LCSO General Orders state that inmates will be notified by the PREA Coordinator when and investigation is completed.

Evidence:

- General Order 503.9 H-4
- Interview with PREA Coordinator
- Interview with Investigator
- Pre-Audit Questionnaire

**Standard 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)

The LCSO has a General Order that states staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. LCSO reports no terminations for this violation during this rating period.

Evidence:

- General Orders: Chapter 10 Discipline and Disciplinary Sanctions
- Pre-Audit Questionnaire
- Interview with Investigator
- Interview with PREA Coordinator

**Standard 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)

The LCSO does a thorough background on contractors and volunteers before they work around inmates. Contractors and Volunteers also complete an orientation that reviews disciplinary action for misconduct. There have been no terminations during this rating period for misconduct of this nature.

Evidence:

- General Orders 705.03 III-7
- Interview with Investigator
- Interview with Trainer
- Review of Lesson Plans

**Standard 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)

Inmates are subject to disciplinary action pursuant to a formal process following any administrative finding that an inmate engaged in inmate on inmate sexual abuse or following a criminal finding of guilt for inmate on inmate sexual abuse. The facility reports no findings of this nature during this rating period.

Evidence:

- General Orders 503.9 H-6
- Interview with PREA Coordinator
- Interview with Investigator
- Interviews with mental health and medical staff
- Pre-Audit Questionnaire

**Standard 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)

During the intake process inmates are screened for prior sexual abuse to determine housing assignment and placement in programs. If during the screening process an inmate reports having been a victim of sexual abuse or has previously perpetrated sexual abuse whether it occurred in an institution setting or in the community, and expresses a willingness to participate in treatment, staff will refer the inmate to the PREA Coordinator and contact medical/mental health services. Treatment will be prescribed if needed and a mental health practitioner will follow up within 14 days of intake. During this rating period there have been no inmates reporting or perpetrating sexual abuse during the screening process.

Evidence:

- Interviews with medical and mental health staff
- General Orders: 503.9 IV-6,8,9,10
- Risk Assessment Questionnaire
- Pre-Audit Questionnaire

**Standard 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)

The LCADC has on site 24/7 coverage to medical and mental health services. Victims of sexual abuse will be transported immediately to INOVA Fairfax for treatment. Inmates are provided access to outside victim advocates for emotional support services related to sexual abuse.

Evidence:

- General Orders 503.9 E-6, F-2, 3,4
- Interviews with on site medical and mental health services
- Interview with Loudoun Citizens for Social Justice/LAWS employee
- Pre-Audit Questionnaire

**Standard 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)

Medical and Mental Health Services will provide on site confidential services for inmates. Initial and follow up treatment if necessary is provided and continues outside of release. Treatment services are provided without financial costs.

Evidence:

- General Orders 503.9 E-6, F-2, 3,4
- Interviews with medical mental health staff
- Interview with LAWS employee
- Pre-Audit Questionnaire

#### **Standard 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)

A formalized sexual abuse incident review process has been developed and meets monthly. The team is led by PREA Coordinator and has representatives from all sections of the facility. Meetings are documented.

Evidence:

- Interview with PREA Coordinator
- Interview with team members
- Review of meeting minutes
- General Order 503.9 H

#### **Standard 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)

A standardized PREA incident review from every allegation of sexual abuse within the facility is reviewed and collected along with all investigative files to compile data for an annual report. The annual report is completed by the PREA Coordinator and published on the website.

Evidence:

- General Order 503.9 I-Data Collection
- Annual report
- Interview with PREA Coordinator
- Pre-Audit Questionnaire

**Standard 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)

The annual report is completed by the PREA Coordinator and is a product of reviews from incidents, investigations, practices, training, and suggestions from staff and inmates. The report is published on the agency website.

Evidence:

- General Orders: 503.9
- Website
- Annual report
- Interview with PREA Coordinator
- Pre-Audit Questionnaire

**Standard 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)

All data collected is kept in a secure manner and retained for a minimum of 10 years after the date of initial collection. All aggregated sexual abuse data is made available to the public annually via the agency website or personal request.

Evidence:

- General Orders: 503.9 I
- Pre-Audit Questionnaire
- Interview with PREA Coordinator
- Website

**AUDITOR CERTIFICATION**

I certify that:

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

David Kidwell

June 29, 2016

Auditor Signature

Date