

NATIONAL  
**PREA**  
RESOURCE  
CENTER



**BJA**  
Bureau of Justice Assistance  
U.S. Department of Justice

**PREA COMPLIANCE AUDIT INSTRUMENT – INTERVIEW GUIDE FOR PREA COMPLIANCE  
MANAGERS and PREA COORDINATORS**

**Prisons and Jails**

**APRIL 18, 2014**

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## PREA COMPLIANCE MANAGER

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1. Do you feel that you have enough time to manage all of your PREA related responsibilities? *(115.11)*
2. Discuss how you coordinate your facility's efforts to comply with the PREA standards.
3. If you identify an issue with complying with a PREA standard, what actions or process do you undertake to work toward compliance with that standard?
4. When assessing adequate staffing levels and the need for video monitoring, please explain if and how the facility staffing plan considers: *(115.13)*
  - a. Generally accepted detention and correctional practices;
  - b. Any judicial findings of inadequacy;
  - c. Any findings of inadequacy from federal investigative agencies;
  - d. Any findings of inadequacy from internal or external oversight bodies;
  - e. All components of the facility's physical plant (including "blind spots" or areas where staff or inmates may be isolated);
  - f. The composition of the inmate population;
  - g. The number and placement of supervisory staff;
  - h. Institution programs occurring on a particular shift;
  - i. Any applicable state or local laws, regulations, or standards;
  - j. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
  - k. Any other relevant factors.
5. How does the agency or facility use information from risk screening during intake (per 115.41) to keep inmates from being sexually victimized or being sexually abusive? *(115.42)*
6. Has the agency outlined who should have access to an inmate's risk assessment within the facility in order to protect sensitive information from exploitation? *(115.41)*
7. How does the facility provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency? *(115.51)*
8. Do these procedures enable receipt and immediate transmission of inmate reports of sexual abuse and sexual harassment to agency officials that allow the inmate to remain anonymous upon request? *(115.51)*
  - a. If YES, describe entity and procedures.
  - b. If NO, explain.
9. *If an outside agency investigates allegations of sexual abuse, ask:* How does the facility remain informed of the progress of a sexual abuse investigation? *(115.71)*
10. If requested by the victim, does a victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and provide emotional support, crisis intervention, information, and referrals during the forensic medical examination process and investigatory interviews? *(115.21)*
11. In what ways does the agency or facility attempt to make available a victim advocate from a rape crisis center? *(115.21)*

12. If a rape crisis center provides victim advocate services, how do you ensure that it meets the qualifications described in Standard 115.21(d)? *(115.21)*
13. Is the facility subject to a consent decree, legal settlement, or legal judgment requiring that it establish a dedicated facility, unit, or wing for lesbian, gay, bisexual, transgender, or intersex inmates? *(115.42)*
14. How does the agency or facility determine housing and program assignments for transgender or intersex inmates (by “transgender,” I mean people whose gender identity and/or gender expression does not match the sex and/or gender they were assigned at birth; by “intersex,” I mean an individual born with external genitalia, internal reproductive organs, chromosome patterns, and/or endocrine systems that do not seem to fit typical definitions of male or female; by “gender non-conforming,” I mean individuals who express their gender in a manner that breaks societal norms for one’s gender (e.g., someone who identifies as a girl/woman but wears clothing typically assigned to boys/men))? *(115.42)*
  - a. Does the agency consider whether the placement will ensure the inmate’s health and safety? *(115.42)*
  - b. Does the agency consider whether the placement would present management or security problems? *(115.42)*
15. How often are placement and programming assignments for each transgender or intersex inmate reassessed to review any threats to safety experienced by the inmate? *(115.42)*
16. Are transgender or intersex inmates’ views with respect to his or her own safety given serious consideration in placement and programming assignments? *(115.42)*
17. Are transgender and intersex inmates given the opportunity to shower separately from other inmates? If YES, how are they given the opportunity? *(115.42)*
18. If the agency reviews data collected and aggregated pursuant to 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training, what role does the facility and facility data play in this review? *(115.88)*
19. If the facility conducts sexual abuse incident reviews, does the facility prepare a report of its findings from the reviews, including any determinations per Standard 115.86 (d)-1 through (d)-5 and any recommendations for improvement? *(115.86)*
20. Are these reports forwarded to you for review? Have you noticed any trends? *(Note to auditor: the Standard does not require examination of trends, but this question might be a helpful way to gather an overview.) (115.86)*
21. What actions, if any, do you take after the report has been submitted? *(115.86)*

## PREA COORDINATOR

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1. Do you feel that you have enough time to manage all of your PREA-related responsibilities? (115.11)
2. How many facility PREA compliance managers are there throughout your agency? How, if at all, do you interact with them? (115.11)
3. If you identify an issue with complying with a PREA standard, what actions or processes do you undertake to work toward compliance with that standard?
4. Has the agency outlined who should have access to an inmate's risk assessment within the facility in order to protect sensitive information from exploitation? (115.41)
5. *If the agency is not subject to a consent decree, legal settlement, or legal judgment requiring such, ask:* How does the agency ensure against placing lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of their sexual orientation, genital status, or gender identity? (115.42)
6. Does the agency review 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? (115.88)
  - a. How does the agency ensure that data collected pursuant to 115.87 are securely retained? (115.89)
  - b. Does the agency take corrective action on an ongoing basis based on these data? (115.88)
7. Does the agency prepare an annual report of findings from its data review and any corrective actions for each facility, as well as the agency as a whole? (115.88)
8. What types of material are typically redacted from the annual report? Does the agency indicate the nature of material redacted? (115.88)
9. *If an outside agency investigates allegations of sexual abuse, ask:* How does the agency remain informed of the progress of a sexual abuse investigation? (115.71)
10. Are you consulted regarding any assessments of, or adjustments to, the staffing plan for this facility? How often do these assessments happen? (115.13)
11. How do you respond when an allegation of sexual abuse or sexual harassment is made by someone under the age of 18 or someone considered a vulnerable adult under state or local law? (115.61)