

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS



<b>Name of facility:</b>		Oklahoma State Penitentiary	
<b>Physical address:</b>		1301 North West Street, McAlester, Oklahoma 74501	
<b>Date report submitted:</b>		May 29, 2015	
<b>Auditor Information</b>			
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<b>Date of facility visit:</b>		May 6-8, 2015	
<b>Facility Information</b>			
<b>Facility mailing address: (if different from above)</b>		P.O. Box 97, McAlester, Oklahoma 74502	
<b>Telephone number:</b>			
<b>The facility is:</b>	<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		
<b>Facility Type:</b>	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
<b>Name of PREA Compliance Manager:</b>		Jessica Smith	<b>Title:</b> PREA Compliance Manager
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<b>Agency Information</b>			
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<b>Governing authority or parent agency: (if applicable)</b>		State of Oklahoma	
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## AUDIT FINDINGS

### NARRATIVE:

The Prison Rape Elimination Act (PREA) Audit for the Oklahoma State Penitentiary from initial notification through this auditor's Summary Report Adult Prisons and Jails/PREA Audit final report began in March 2015 with the notice that the Oklahoma Department of Corrections through the American Correctional Association (ACA) had scheduled a PREA Audit with a tour date of May 6-8, 2015 of the Oklahoma State Penitentiary, McAlester, Oklahoma. PREA Certified Auditor Cathy Slack was notified by ACA e-mail of her appointment and schedule.

The audit process started with contact from Millicent Newton-Embry, PREA Coordinator, Oklahoma Department of Corrections, Oklahoma City, Oklahoma. Oklahoma State Penitentiary Warden Anita Trammell mailed a USB thumb and manual envelope with pertinent documents essential to the PREA audit. The manila envelope contents contained a USB flash drive, Welcome Letter to the PREA Auditor, Employee Count at Oklahoma State Penitentiary, Oklahoma State Penitentiary's Mission Statement, Oklahoma Department of Corrections Mission Statement, copy of the ACA Visiting Report for September 16-18, 2013 Reaccreditation Audit Report and Oklahoma State Penitentiary Information Manual. The USB flash drive contained a check list file for each standard including copies of compliance documents, and the Pre-audit Questionnaire for Adult Prisons and Jails. The 43 standards folders (one for each standard) contained substantiated compliance documentation for each of the standard. The Questionnaire provided material that was comprehensive, specific, and very helpful to the auditor regarding the Oklahoma State Penitentiary.

The PREA Resource Audit Instrument used for Adult Prisons and Jails was furnished by the National PREA Resource Center. To summarize, there are seven sections, A through G, comprised of the following: A) Pre-Audit Questionnaire, sent by Oklahoma Department of Corrections; B) the Auditor Compliance Tool; C) Instructions for the PREA Audit Tour; D) the Interview Protocols; E) the Auditor's Summary Report; F) the Process Map; and G) the Checklist of Documentation.

Following the protocols of making contacts, and checking on the posting of notices (posting was initiated through the American Correctional Association and the facility, Oklahoma State Penitentiary) the auditor, on her own, began review of the Pre-Audit Questionnaire and the material sent prior to discussion and the audit visit. Each item on the thumb drive was reviewed. Of particular interest to the auditor was the detailed information in the Pre-Audit Questionnaire completed by the facility PREA Compliance Manager (PCM) and the PREA Coordinator. Also, in this preliminary review, special interest was taken in the compliance documentation provided for each standard. The information from the standards files was used to complete the list of the PREA Compliance Audit Instrument Checklist of

Policies/Procedures and other documents in advance to identify additional information that might be required.

The Oklahoma Department of Corrections contracted with ACA to do the PREA Audit of Oklahoma State Penitentiary March 18, 2015. It was decided that management from Oklahoma State Penitentiary and the auditor would meet Monday evening, May 5, 2015, at an informal dinner in McAlester, Oklahoma with Anita Trammell, Warden of Oklahoma State Penitentiary and key staff. Also attending the dinner was Millicent Newton-Embry, Agency PREA Coordinator.

The site visit began at 8:30 a.m. on Tuesday, May 6, 2015 with arrival at the Administration Building. The Auditor and PREA Coordinator entered the front gate with the appropriate security precautions and proceeded to the Administration Building. During a brief meeting with Anita Trammell Warden, PREA Coordinator, PREA Compliance Manger, Deputy Warden and the Acting Chief of Security the auditor went over the audit schedule. At this time, a review of the maximum security inmate population roster was reviewed and inmates were selected from each housing unit to be interviewed by the auditor. There was one mental health inmate that would be interviewed in the Mental Health Unit. Plans were to bring all the other inmates into the non-contact visiting room one at a time for the interview. Utilizing the PREA Compliance Audit Instrument and the PREA Audit Tour guidelines the tour started.

The tour of the Oklahoma State Penitentiary began at 9:00 a.m. on the first day, May 6, 2015. The tour included D & E Housing Unit (Mental Health), A Unit, C Unit, Kitchen, H Unit, Medical, Canteen, Maintenance and the Warehouse. During the tour of the facility auditor observed the areas, interviewed administration, program and security staff and inmates and checked for "blind-spots" in all levels of custody. The following were in attendance:

Anita Trammell: Warden  
Maurice Warrior: Deputy Warden  
Millicent Newton- Embry: PREA Coordinator  
Jessica Smith: PREA Compliance Manager  
Jacky Parker: Acting Chief of Security  
Regina Vanblaricom: Procedures Officer  
Sgt. Buss: Key Control

The tour was completed Monday afternoon of the facility but followed up with a revisit to the Intake area and a thorough tour of the Surveillance Room.

The auditor conducted specialized staff interviews in a large conference room located in the administration building. Utilizing the PREA Compliance Audit Instrument – Interview Guide for Specialized Staff sixteen (16) staff were interviewed. Staff interviews included intermediate or higher-level facility staff, medical and mental health staff, administrative staff, volunteers and contractors, investigative staff, staff that perform screening for risk of victimization and abusiveness, staff who supervise inmates in segregated housing, incident review team members, intake staff, staff charged with monitoring retaliation, and others designated by the interview protocols. A Random Sample of Staff, who have contact with adult inmates were selected for formal interviews. There was a total of 17 staff selected for formal interviews but only 11 staff were interviewed as some staff were on annual or sick

leave. The PREA auditor proceeded with staff interviews on the first day which were also held on the second day and third day of the audit.

Inmate interviews were also conducted on the 2<sup>nd</sup> and 3<sup>rd</sup> day of the audit. There were thirty five (35) inmates selected to be interviewed, however, twenty-five (25) of those inmates declined to be interviewed which resulted in ten (10) inmates interviewed by the auditor including one gay inmate. There were no transgender or intersex or non-English speaking inmates to interview at Oklahoma State Penitentiary.

In addition to these formal interviews, many informal discussions were held with staff and inmates who assisted in this PREA compliance audit. The auditor commented on how much information was received in these formal and informal interviews.

On Wednesday, starting at the facility at 8:30 a.m. the auditor met with the ACA compliance team to discuss any PREA concerns, problems, issues, or circumstances of the Oklahoma State Penitentiary Facility. There were no issues rising to the level of PREA noncompliance. The auditor concluded the interview and tour process. An informal interview was held at noon with the Warden and some of her key staff. The auditor indicated that she would have an interim/final report within 30 days. At this time she would have reviewed her notes and have had discussions with the PREA Compliance Manager and PREA Coordinator and arrive at conclusions on each standard. The auditor noted there were no red flags that had come to the auditor's attention and moreover, she was positively impressed with the Oklahoma State Penitentiary's commitment to the PREA audit process. A discussion also included the upcoming program changes of the Oklahoma State Penitentiary and PREA issue concerns with inmates attending programs in small groups compared to the 23 hour lock-up of inmates and individual programming currently in place at the Maximum Security Institution.

#### **DESCRIPTION OF FACILITY CHARACTERISTICS:**

The Oklahoma State Penitentiary is located in McAlester, Oklahoma and is spread over 55 acres of land located southeast of Oklahoma City. The entire operation of the facility is under the command of Warden Anita Trammell. The grounds are maintained by the Jackie Brannon minimum security prison.

There are approximately eleven (11) buildings in the compound of almost 55 acres providing services and support to offenders including eight offender housing units. The offender population is classified as maximum with 901 rated capacity and current population of 738. The facility is secured by a standardized perimeter fence and a 16 foot high cement wall. There is a double strand of security fences around the entire compound with double edge razor wire in between and on top of each fence.

The Oklahoma State penitentiary is one of the oldest penitentiaries west of the Mississippi. It has been in operation since 1908 and its present classification is "Maximum Security". Over the years additional buildings were constructed and utilized to house and incarcerate some of the major offenders in the state of Oklahoma. It also incarcerates those inmates who have death sentences and is used to execute those who were sentenced to death. In one whole section of the facility there is a rodeo arena that will seat approximately one thousand guests. This arena has been closed, due to budget cuts, for several years with no future events scheduled as of this audit.

A unit was completed in 1983 and has a bed capacity of 224 offenders. These four quads house 28 offenders, with 14 cells on top and 14 cells on bottom. There is a commode and sink in each cell. There is one TV cable connection in each cell. The Control Room is centrally located in the center of all the quads to allow a 360 degree visual observation of all four quads. Each quad has two showers on top and two showers on the bottom. Each cell also had a sprinkler head and the unit has central heat and air.

C Unit was completed in 1983 and has a bed capacity of 196 offenders. The four quads house 28 offenders, with 14 cells on top and 14 cells on bottom. There is a commode and sink in each cell. There is one TV cable connection in each cell. The control room is centrally located in the center of the quads to allow a 360 degree visual observation of all four quads. Each quad has two showers on top and two showers on bottom. Each cell also has a sprinkler head. C Unit was closed on June 28, 2013 and was reopened on August 28, 2013. Currently there is one quad, 28 cells with offenders who have single cell assignments on C-1 quad.

D Unit was completed in 1983 and has a bed capacity of 78. The two quads, D-1 and D -2, house approximately 24 offenders, 12 on the bottom and 12 on the top and feature an open bay design with 360 degree visual observation of the building's interior from the centrally located Control Room. There is a TV cable for the open bay quad TV. All the offenders assigned to this unit have several mental issues. The mental health staff area is located adjacent to the unit providing daily visits to ensure specialized care.

E Unit was completed in 1983 and has a bed capacity of 65. The two quads, E-1 and E-2, house approximately 24 offenders, 12 on the bottom and 12 on the top and feature an open bay design interior with 360 degree visual observation of the building's interior from the centrally located Control Room. There is a TV cable for the open bay quad TV. All the offenders assigned to this unit have several mental issues. The mental health staff is located adjacent to the unit providing daily visits to ensure specialized care.

The Inmate Health Care Unit (IHCC) is a single level, with a seven bed ward and ten key lock cells on the east end, five on the south side and five on the north side that was constructed in the early 1980's. There is a TV with cable for the ward section. The unit has a Dental Office and Emergency Room used by Oklahoma State Penitentiary and other state facilities that are located in Southeast Oklahoma. The unit has bed space for 17 offenders. This IHCC building is located in the compound, on the east wall near the bottom of 4 Tower and East Gate. Every offender coming into the Oklahoma State Penitentiary is processed here for medical and security. All of the offenders assigned to this unit are medical assigned.

H Unit was completed in 1990 and has a rated bed capacity of 390. The unit is separated into four quads, with each quad divided into two separate sides. There is a Dental and Medical Office in this unit to ensure offenders receive attention without leaving the unit. On each side there is a recreation area enclosure that can be reached without leaving the unit. Each cell is equipped with a commode, sink and sprinkler head. A shower is located at the end of each run. Each quad has its own separate visiting area. The death row quad has a room assigned for attorney and family visits. The South East and North East quads house offenders placed in restricted housing. Death Row is located on the South West quad and the execution room can be entered from this quad. On the North West quad side 2 is the

restricted housing unit and side 1 houses additional offenders on restricted housing. The entire H unit has central heat, air and fire protection.

Proposed changes for Oklahoma State Penitentiary are projected to take place. Recently with the approval of the legislature, departmental executive staff has made decisions that will significantly change the looks and operations at OSP. As part of this transition, the current administration building will close. The rotunda area has already been closed and is not utilized at this time. The institutions had previously closed "G" and "I" units and in 2012 closed the "F" cell house. Renovations to be made at OSP include the building of a new technological friendly; administration building. The closure of these outdated structures will significantly reduce utility and maintenance expenditures.

The institution will have five remaining housing units, H-unit housing Oklahoma's Death Row, D and E units "Mental Health Units" and A and C units "General Population". Plans are also being made to construct a security "stun" fence to be installed along with a double security fence reducing the necessity of utilizing armed tower officers. Several new technologies will be introduced to include proximity readers and visitation.

While renovations have already begun, it will take several months until the transition is completed. The changes being made will make OSP much smaller and a more manageable institution. The modernization and technological improvements will greatly enhance security and provide a safer environment for both staff and the offender.

The mission of the Oklahoma Department of Corrections is "To Protect the Public, Protect the Employees, and Protect the Offenders." The mission of the Oklahoma State Penitentiary "Oklahoma State Penitentiary (OSP) is a maximum security facility specializing in securing death row offenders, long term administrative segregation offenders, severely mentally ill offenders, high risk Interstate Compact offenders and offenders who are deemed a security risk at medium facilities. The primary service of OSP is to provide a safe and secure facility for offenders who are classified maximum security. OSP operates on a 23 hour lockdown status with limited offender movement. Offender movement outside the housing unit, but within the secure perimeter is in full restraints prior to exiting the cell with the exception of a limited number of offenders that are utilized as unit orderlies.

OSP has a high maximum housing unit (H Unit) constructed partially underground that has a capacity of 390 offenders. This housing unit is designated for death row, administrative segregation, and segregation housing unit. Additionally, there are eight super high maximum cells that are designated for high risk offenders that are behind two cell doors. H Unit is self-sufficient housing unit where all services are provided at the unit to include medical, dental, non-contact visiting, mental health assessment/counseling and recreation/exercise enclosures.

Medical Services provides 24 hour care for all offenders which include a wide range of services. There is one medical administrator, physician, physician assistant and fifteen nurses, along with three support staff. Infirmary care is provided in the Institutional Health Care Center (IHCC) for constant observation and care. A dorm/ward area with seven hospital beds and ten cells are utilized for medical/mental health needs. There are specialized cells for TB patients and safe cells for offenders on suicide watch. The offenders are provided with Sick Call Clinics that are conducted on the units by the physicians/nurses and Chronic Clinics which are conducted on all chronic patients every six months. An

emergency/ambulatory clinic where minor emergencies and procedures are conducted is provided.

Mental Health Services are provided by staff to include a professional psychologist, a psychiatrist, and masters-level psychological clinicians. The Mental Health Services Unit promotes recovery for offenders with a serious illness, developmental disabilities, and/or co-occurring disorders. Services encompass the entire spectrum of care, including screening/assessment, crisis intervention, suicide prevention, outpatient, intermediate, and acute/inpatient mental health services; and re-entry services including pre-discharge planning preparation. Offenders are also provided medication distribution services by the Medical Services unit's nurses. In addition to offender services, the Mental Health staff also provides facility training to employees regarding suicide prevention and awareness of issues related to working with offenders with serious mental illness.

Adult Basic Education (ABE) and General Efficiency Diploma (GED) are offered to all offenders with educational needs. Anger Management and specialized group counseling is offered to offenders on the Mental Health Unit. Religious services and religious volunteers are available through literature and individual counseling.

It is important to note, there are proposed program changes scheduled to be implemented by November 1, 2015 allowing inmates to participate in education programs in small controlled groups.

**SUMMARY OF AUDIT FINDINGS:**

Number of standards exceeded:	2
Number of standards met:	39
Number of standards not met:	0
Non-applicable:	2

## §115.11 - Zero tolerance of sexual abuse and 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)

Oklahoma Department of Corrections (ODOC) facility operations policy **OP-030601, Prison Rape Elimination Act effective 11/25/2014** addressed this standard. This policy references "Zero Tolerance" in Section 1, which instructs the agency to provide a safe, humane and secure environment for all offenders. In section 1, the policy states that ODOC maintains a Zero Tolerance for offender on offender sexual assault, staff sexual misconduct and sexual harassment towards offenders. This policy also states, "Every allegation of sexual assault, misconduct or harassment is to be thoroughly investigated." In Section 1. A. of this policy it states "The agency shall designate a Prison Rape Elimination Act (PREA) Coordinator to oversee agency efforts to comply with PREA standards. This position shall have sufficient time and authority to develop, implement and oversee the agency's efforts to comply." This policy also states, "Each facility (minimum security and above) shall assign one staff member as the facility PREA Compliance manager (PCM) with overall responsibility of coordinating facility efforts to comply with PREA standards."

Through discussions with staff and inmates, observation of bulletin boards, posters, handouts and materials, review of inmate and staff handbooks, and personnel policies, it is clear that the Oklahoma State Penitentiary is committed to Zero Tolerance of sexual abuse and sexual harassment. **Each inmate had a 4" x 4.5" green card posted on the outside of each cell door on steps to place a call to the PREA Hotline \*73 to report Sexual Abuse/Harassment. This green card is translated in both Spanish and English.**

Organizational charts were reviewed identifying the PREA Coordinator for the Oklahoma Department of Corrections and the PREA Compliance Manager for the Oklahoma State Penitentiary. Auditor reviewed an appointment letter dated 9/26/2012 from Associate Director, Field Operations, Oklahoma Department of Corrections appointing the PREA Coordinator for ODOC. Auditor reviewed a list designating PREA Compliance Managers for Oklahoma Department of Corrections and specifically for the Oklahoma State Penitentiary. The PREA Coordinator for the ODOC reports directly in the chain of command to the Inspector General of the ODOC. The PREA Compliance Manager reports directly to the Warden at the Oklahoma State Penitentiary.

## §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)

Oklahoma Department of Corrections Policy **OP-030401 Private Prison Monitoring Requirements** dated 4/22/14 addressed this standard. The policy states any contract between DOC and a private prison contractor whereby the contractor provides for the housing, care and control of offenders in a non-departmental facility operated by the contractor will contain in addition to other provisions, terms and conditions specific facility requirements of 57 O.S. 561-3 and 563-1-2. Also contractors must comply with Oklahoma Department of Corrections procedures as specified in the contract and as updated in the contract renewal.

Oklahoma Department of Corrections Policy **OP-030402 Community Corrections Residential Contracts dated 4/16/14** addressed this standard. The policy states the contract will comply with Prison Rape Elimination Act (PREA) Prison and Jail Standards. The contractor's compliance with PREA standards shall be monitored by the host district.

Oklahoma Department of Corrections Policy **OP-090109 Contract County Jail Program dated 6/19/14** addressed this standard. The Warden of the host facility shall ensure contract compliance.

Contracts were reviewed and each contract contained PREA language regarding compliance requirements. The interview with the Agency Contract Manager was reviewed. Contract employees were interviewed and it was clear from this review and interview that Zero Tolerance and compliance with PREA is substantiated.

## §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)

Oklahoma Department of Corrections (ODOC) facility operations policy **OP-030601, Prison Rape Elimination Act effective 11/25/2014** addressed this standard. This policy states each facility shall have intermediate and higher level staff conduct unannounced rounds to identify any deviation from policy and procedure, including deviation from compliance with the Prevention of Sexual Abuse and Sexual Harassment Policy. Staff compliance is maintained through unannounced rounds. Unit Logs are maintained on unannounced rounds.

The Oklahoma State Penitentiary includes adequate levels of staffing and video monitoring to protect offenders against sexual abuse. The staffing plan is monitored and updated annually. Oklahoma State Penitentiary Post Charts were reviewed. NIC Staffing Analysis was also reviewed.

Oklahoma State Penitentiary currently has a total of 236 cameras. Oklahoma Department of Corrections FY 2014 Budget Request Priority H for Field Operations and Community Corrections is requesting \$1,700,000 to add Security Cameras and surveillance equipment to maintain a safe operating environment of the correctional facilities. In preparation for the proposed program at OSP, an upgrade of the facility's surveillance system is planned to ensure that all areas facilitating the proposed program are monitored for PREA protection, offender assaults, staff assaults and escape attempts. Due to budget constraints the funding needed to complete all of the modifications and upgrades will not be available until after the beginning of the new fiscal year, which begins July 1, 2015. The proposed program changes are scheduled for completion by November 1, 2015.

Interviews conducted with staff and inmates indicated they felt safe at Oklahoma State Penitentiary.

#### §115.14 – Youthful Inmates

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

Oklahoma Department of Corrections does not house inmates under the age of 18 at the Oklahoma State Penitentiary.

#### §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)

Oklahoma Department of Corrections (ODOC) facility operations policy **OP-030601, Prison Rape Elimination Act effective 11/25/2014** addressed this standard. Section C. Staff shall be aware of offender's state of undress during times offenders may be showering, changing clothes or performing bodily functions. Section C. 1. Minimum, medium and maximum facilities shall ensure that at the beginning of each shift an announcement is made in the housing units notifying offenders that staff of

the opposite gender will enter or be present on the housing unit during the shift. Section C. 2. When the gender of the staff on the housing unit changes to the opposite gender, a notification will be made to the offenders announcing the staff member's presence upon entering an offender housing unit. Section C. 5. An offender shall be able to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks.

Oklahoma Department of Corrections **OP-040110 Search and Seizure Standards** dated 7/29/14 addressed this standard. The policy stipulates that pat down, frisk, strip and visual body cavity searches of offenders will be conducted by staff trained in conducting searches. Strip searches and visual body cavity searches will be conducted by gender specific staff (staff of the same gender) except in exigent circumstances. All staff received training in conducting pat down searches and unannounced rounds.

Oklahoma State Penitentiary is a male facility. There were 0 cross-gender strip or cross gender visual body cavity searches and 0 cross gender pat-down searches of inmates in the past 12 months.

Interviews, observations and review of procedures confirmed staff of the opposite gender announces their presence when entering inmate housing units. It was confirmed by interviews with staff and inmates that inmates can perform bodily functions, change clothing and shower without staff of the opposite gender completely viewing them.

<b>§115.16 – Inmates with Disabilities and Inmates</b>	<b>arabidimited</b>
<b>English</b>	<b>Proficient</b>

- 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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard. Section V. Offender Orientation and Education states "Every offender will receive a written copy of the department's orientation material in formats or through methods to ensure effective communication. Offenders, whose primary language is not English, will normally be provided a copy or translation of the orientation material in their own language. If literacy problems, intellectual disabilities/disabilities (visual/hearing impairments) exist, the offender will be assisted in understanding the material. All offender education shall be provided to offenders by staff. No offender interpreters will be utilized except in exigent circumstances. However, approved community or facility volunteers may be utilized. The agency is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service,

program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under Title II of the Americans With Disabilities Act, 28 CFR 35.164. "

Oklahoma Department of Corrections (ODOC) policy **OP-060201 Classification and Case Management** effective 11/18/14 addressed this standard as well.

The housing summary including Job Roster with Activity/Housing Summary from Medical (showing disabilities) was also reviewed.

In the past 12 months, there have been zero (0) use of inmate interpreters, readers or other types of inmate assistants. The auditor reviewed the agency's interpreter list, the inmate handbook and posters which is in both English and Spanish.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-110105 Employee Personnel Records** effective 9/4/14 addressed this standard. Section E. 6. States "The agency will provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom the employee has applied to work."

Oklahoma Department of Corrections (ODOC) policy **OP-110210 Background Investigations** effective 7/31/14 addressed this standard. (Revision 11/20/2014) If the applicant is a prior employee of any institutional setting, the previous employer will be contacted to determine if the applicant has ever been the subject of a substantiated sexual abuse report or any resignations during a pending investigation. The Criminal/Driving Record Section of this policy states "The investigator will list any arrests (to include dispositions and jurisdictions) located for applicant. Disposition will include any subsequent pardon, expungement or restoration of rights. All rap sheets will be attached."

Oklahoma Department of Corrections (ODOC) policy **OP-110235 Hiring and Promotions** effective 7/8/14 addressed this standard. The policy states, the appointing authority will consider any incidents of sexual harassment in determining whether to hire or promote any applicant/employee. This policy also states, "The Prison Rape Elimination Act prohibits the agency from hiring, promoting, or contracting with anyone who: 1. Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997); 2. Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent

or refuse; or 3. Has been civilly or administratively adjudicated to have engaged in the activity described above.”

Oklahoma Department of Corrections (ODOC) policy **OP-110237 Separation Process** effective 8/22/14 addressed this standard. This policy states, the appointing authority may determine that an employee is not eligible for rehire at the time an employee is separated from employment only under the following circumstance. Resigns or is discharged following substantiated allegations of sexual abuse or sexual harassment.

These policies reveal that before the hiring of a new employee who has contact with inmates, a criminal background check is done. Agency policy requires criminal background checks be conducted at least every 5 years.

Personnel files were reviewed, the Warden and Human Resource Manager were interviewed and it was evident that the agency policy and PREA requirements were being met concerning hiring, promotion and background checks.

### **§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)

Oklahoma Department of Corrections **Physical Plant and Development policy** effective 8/22/14 and revised 11/7/14 addressed this standard. This policy states, “When designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency’s ability to protect offenders from sexual abuse.” In regards to video monitoring this policy states, “When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency’s ability to protect offenders from sexual abuse.” The Proposed New Construction Form, Attachment A states, “The design must consider the effect of the design, acquisition, expansion or modification upon the agency’s ability to protect offenders from sexual abuse.” The Proposed Renovation form Attachment B states the question, “Will there be any security surveillance changes? If yes, include consideration(s) of how such technology may enhance the agency’s ability to protect the offender’s from sexual abuse.”

Oklahoma State Penitentiary is not a new facility nor have they made substantial expansions or modifications of the existing facility since August 20, 2012.

Diagrams of camera locations showing upgrade of new cameras or video monitoring system after August 20, 2012 were reviewed. There are approximately 236 cameras strategically placed throughout the facility, some are for viewing purposes and others

are utilized for recording. Several of these cameras are pan tilt zoom equipped strategically placed around the perimeter to enhance security. No cameras directly interfere with inmates' ability to shower, dress and perform bodily functions with some privacy. Comprehensive supervision and due to OSP's maximum security level, inmates are only allowed out of their cell one at a time.

In the Warden's interview, she indicated, there are plans in the future to add additional programs for inmates and for those inmates to attend those programs in small groups. Due to this change, an assessment of the facility's mission, physical plant, programs, offender security and training with staff will be reviewed.

Interviews with inmates indicated they felt safe at Oklahoma State Penitentiary.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard. The policy outlines gender investigatory guidelines, investigative techniques, investigating sexual assaults to include preservation of evidence in recent sexual assaults, physical evidence - victim, physical evidence - offender suspect, physical evidence - crime scene, interviewing and reporting guidelines, findings/recommendations, prosecutions and tracking of confirmed sexual assault perpetrators. There are also sexual violence and sexual misconduct and harassment checklist and forms attached to this policy.

Oklahoma Department of Corrections (ODOC) policy **OP-040117 Investigations and Reporting Procedures** indicate the immediacy of reporting these incidents and crimes to the Office of the Inspector General (OIG) addressed this standard. The offender orientation outlines sexual abuse response, investigation and offender protection investigations.

Oklahoma Department of Corrections (ODOC) policy **OP-140118 Emergency Care** effective 6/18/14 addressed this standard. This policy addresses medical and emergency treatment and intervention services and referral to a local community provider for any additional treatment, gathering of evidence and forensic examination.

OP-030601m -OP-040117 and OP-140118 requires the facility to maintain an attempt to enter into an MOU or other agreements with community service providers who are able to provide offenders with confidential emotional support services related to sexual abuse. These policies assure PREA trained investigators follow a uniform evidence protocol.

Forensic exams are conducted utilizing a Sane Nurse through Hillcrest Medical Center Tulsa, Oklahoma. The facility is attempting to utilize Domestic Violence Intervention Service, Inc. (Rape Crisis Center) (DVIS) in Oklahoma for Victim Advocacy and counseling services. Emails and information were reviewed regarding those attempts.

There has been one (1) forensic medical exam conducted during the past 12 months, and there has been one (1) SANE nurse exam during the past 12 months.

## **§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard. This policy states, "Every allegation of sexual assault, misconduct and harassment is thoroughly investigated." It also states "An investigation is conducted and documented whenever an allegation of sexual abuse or harassment is reported in accordance with OP-040117 entitled "Investigations." Such allegations are treated with discretion and to the extent permitted by law, confidentially." "All allegations and resulting investigations will be conducted in accordance with OP-04011 entitled "Investigations" and if substantiated, will be presented to the District Attorney for criminal prosecution."

Oklahoma Department of Corrections (ODOC) policy **OP-040117 Investigations and Reporting Procedures** indicate the immediacy of reporting these incidents and crimes to the Office of the Inspector General (OIG) addressed this standard.

The number of criminal and/or administrative investigations of alleged inmate sexual abuse and harassment that were received in the past 12 months was 4. During the past 12 months, the number of allegations resulting in administrative investigations were 3 and during the past 12 months, the number of allegations referred for criminal investigation was 0. The agency and institution both document all allegations of sexual abuse and referrals of allegations of sexual abuse and sexual harassment for criminal investigation.

"Sexual Assault Report" was reviewed as a guideline used by the facility in case of an incident of sexual abuse or sexual harassment and found to be in compliance with standard requirements.

Oklahoma State Penitentiary has not conducted an investigation that involves potential criminal behavior.

Policy and Procedures regarding this standard are listed on the Website. Interviews with staff and inmates confirmed knowledge of the importance of the PREA 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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard. This policy addresses all ten points of the PREA Employee Training Standard.

The PREA Training Power Point and PREA Training Rosters were reviewed and PREA training is documented. The training covers information and notices detailing Zero Tolerance for sexual assault/abuse and harassment. The Training Officer was formally interviewed, training records and curriculum were reviewed. A 2 ½" x 3 ½" laminated card identifying the Department's policy on Zero Tolerance on one side and the other side addressing the requirement of Coordinated Response to an Incident of Sexual Abuse for first responder and supervisory staff. This card is placed with the employee's identification card for easy access and reminder in case of a sexual assault or sexual harassment incident. There were a total of 180 of 291 staff that have been trained on PREA requirements during the past 12 months.

Staff were knowledgeable about the Zero Tolerance Policy for sexual abuse and sexual harassment. Correctional officer staff were aware of their first responder responsibilities and the steps they should take. Non-correctional officer staff also receive the same training and is aware of their responsibilities.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard.

Oklahoma Department of Corrections (ODOC) policy **OP-090211 Volunteer Service** effective 4/24/14 addressed this standard.

The Human Resource records show all volunteers and contractors that have contact with inmates have been trained in their responsibilities under Oklahoma's policies which include procedures regarding sexual abuse/harassment prevention, detection and response. Training rosters and signed acknowledgements for training were reviewed. In the past 12 months, 288 volunteers and contractors were trained in the agency's policies and procedures regarding sexual abuse/harassment prevention, detection and response. Random training files of contractors and volunteers were reviewed. Sexual Misconduct and Harassment Handbook for employees was reviewed and confirmed compliance with this standard.

### §115.33 – Inmate Education

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

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard. This policy states, "During the admission process, all offenders are provided information about sexual assault, abuse or harassment to include: prevention/intervention, self-protection, reporting sexual assault, treatment and counseling."

Inmate orientation was observed by this auditor. The inmate PREA video was viewed by the auditor. All inmates receive this orientation within the 30 day time frame. There is also an "Offenders Guide to Sexual Misconduct" for inmates which are made available to all offenders during the assessment and reception orientation.

The number of inmates who received information at intake was 219. The number of inmates admitted during the past 12 months whose length of stay in the facility was for 30 days or more, who received comprehensive education were 219. The number of inmates in the facility, on the day of the audit, who did not receive comprehensive education within 30 days of intake, was zero (0). Inmate PREA education is available in different formats through posters, handouts and cards. The Offender Handbook is in both English and Spanish. Zero Tolerance Acknowledgment for inmates were reviewed and confirmed inmates understand the Zero Tolerance Policy.

Due to this facility being a maximum security level and inmates are in their cells for 23 hours a day, each inmate had a 4" x 4.5" green card posted on the outside of the inmate's cell door on steps to place a call to the PREA Hotline \*73 to report Sexual Abuse/Harassment and information was in both Spanish and English. This was an exceptional idea to ensure all inmates are aware of the zero tolerance policy.

Random inmates were selected from each housing unit and formally interviewed. It was evident from the interviews that all inmates were familiar with how to report sexual assault and sexual harassment and their rights to be free from sexual abuse and sexual harassment.

## §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard.

Oklahoma Department of Corrections (ODOC) policy **OP-040117 Investigations and Reporting Procedures** addressed this standard.

The Specialized PREA Investigation Training Power Point for Correctional Investigators was reviewed and contains information required by this standard. The Specialized Training Course Roster as well as training certificates were also reviewed.

The specialized training was verified through investigator interviews. There are 13 investigators currently employed by Oklahoma Department of Corrections who have received and completed the required training. The Office of the Inspector General (OIG) manages the PREA compliance training.

## §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard. This policy requires medical and mental health staff be provided training to detect and assess signs of sexual abuse and/or predation, preserve evidence of sexual abuse, respond to sexual assault victims, and knowledge of department procedures in regard to PREA reporting process.

All medical and mental health care practitioners who work regularly at Oklahoma State Penitentiary have received training in PREA. There is a PowerPoint “Medical/Dental/Mental Health PREA Training” specifically for training medical and mental health staff. The Specialized Training Course Roster was reviewed.

Formal interviews were conducted with medical/mental health professionals and it was evident from these interviews and signed acknowledgements that medical and

mental health staff were trained in regards to Sexual Abuse and Sexual Harassment and their responsibilities.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard. This policy states, “All offenders receive a mental health screening and/or evaluation, conducted by a trained mental health professional during the initial reception and assessment process within 24 hours of arrival in accordance with OP-140114 entitled “Screening New Arrivals.” This screening and/or evaluation include potential vulnerabilities or risks of being sexually abused by other offenders or being sexually abusive towards other offenders. These screenings and or evaluations are conducted by a qualified mental health professional.” An Offender Assessment Screening Form addresses the risk of sexual victimization or the risk of sexual abuse of other inmates. This form is completed within 72 hours of intake.

Oklahoma Department of Corrections (ODOC) policy **OP-030102, Offender Housing** effective 7/24/14. This policy states, “The Cell Assessment Form will be utilized to determine if it is necessary to place an offender in a single cell based on behavioral/security related issues, the need for administrative segregation and/or protective measures consideration. Such offenders include, but are not limited to, the following:(1) Offenders with severe medical disabilities; (2) Offenders with a severe serious mental illness, as determined by a Quality Mental Health Practioner; (3) Sexual predators; (4) Offenders who are identified as likely to be exploited or victimized by others; and (5) Offenders who have committed violence against other offenders or staff.”

The intake process was reviewed and the auditor observed the process. The intake process confirms that PREA related standards are being utilized by Intake staff. Many of the PREA related questions were asked on the Cell Assessment Form and the self-reporting form. The screening instrument and cell assessment form contain screening information required by this standard.

There were 219 inmates entering the facility, either through intake or transfer, within the past 12 months, whose length of stay in the facility was for 72 hours or more, who were screened for risk of sexual victimization or risk of sexually abusing other inmates within 72 hours of their entry into the facility.

The number of inmates entering the facility, either through intake or transfer within the past 12 months, whose length of stay was for more than 30 days, were reassessed for their risk of sexual victimization or of being sexually abusive, within 30

days after their arrival at the facility based upon additional, relevant information received since intake was zero (0).

Interviews with inmates indicated they had received a screening assessment in Intake and felt they were trained in regards to PREA standards.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed this standard. This policy states, "The facility shall use information from the risk screening evaluation in accordance with OP-030102 (Attachment A) in order to inform staff making housing, work, education, and program assignments; with the goal of keeping those offenders who are at risk of being sexually victimized separate from those at high risk of being sexually abusive."

Each placement at the Oklahoma State Penitentiary is reviewed on a case-by-case basis to make sure it is healthy and safe for the inmates as well as reviewed for security issues of the facility.

Interviews with intake and mental health staff supported by interviews with inmates as well as observation and review of pertinent documents indicated the use of the screening information when making housing and programming assignments. The Cell Assessment Form is also used to assist with making assignments.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "Offenders at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the offender in involuntary segregated housing for no more than 24 hours while completing the assessment."

There were zero (0) inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months.

Inmate and staff interviews confirmed that inmates felt safe at Oklahoma State Penitentiary and housing needs and program needs are evaluated based on the security and safety of the individual inmate(s).

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard.

The Oklahoma State Penitentiary handbook indicates the following regarding reporting sexual abuse or harassment of offenders.

“All allegations of sexual abuse or harassment from offenders or staff of yourself or another offender can be reported utilizing one of the following options:

- You may report verbally to any staff member to include the Warden/ District Supervisor, security staff, medical staff, mental health staff and unit staff.
- You may submit a written report to either the Warden / District Supervisor’s office at this facility or to the Office of the Inspector General at 3400 Martin Luther King Avenue, Oklahoma City, Oklahoma 73111.
- You may have a family member/friend, clergy, or any other person outside the facility report the abuse to the Warden/ District Supervisor’s office of this facility or they may contact the Office of the Inspector General.
- You can use the offender phone bank and dial \*73 and make your report after you hear the recording. This is not a 24 hour 7 day per week hotline. If you are in danger or need immediate assistance do not rely on this method, report to a staff member. These calls are anonymous unless you identify yourself. These calls are not recorded by the facility.
- You may send written allegations to the Oklahoma State Bureau of Investigations at 6600 N Harvey, Oklahoma City, Oklahoma 73116.”

There were posters bulletin boards, cards and communication through staff about Zero Tolerance of sexual abuse and sexual harassment. This information instructs inmates on how to make contact and report incidents of sexual abuse and sexual harassment. There were signed Zero Tolerance Acknowledgements for offenders

indicating they have received this information and observed the PREA video and they understood what they have read.

The inmates are double bunked in cells and phones are delivered to them to make phone calls. In interviews with staff and inmates there are other means that an inmate can make a private phone call. They can ask a staff member when they are being escorted to recreation, can contact the chaplain, mental health or any staff person to make a private phone call in regards to a sexual abuse or sexual harassment incident. When the program mission changes, at this facility, the phone situation may change to place phones in the dayrooms for inmate access and use.

There is a Memorandum of Understanding between Oklahoma Department of Corrections and the Oklahoma State Bureau of Investigations dated 9/5/14 on confidential reporting of sexual abuse or harassment. There is also a pending Memorandum of Understanding with Oklahoma State Penitentiary and Domestic Violence Intervention Services, Inc. (Rape Crisis Center) Crisis. Their phone contacts are 918-743-5763 and 918-7 Help-me.

### **§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)

Oklahoma Department of Corrections (ODOC) policy OP-090124 Offender Grievance Procedure addresses offender grievances and management of offender grievances effective 1/29/13 which was revised 11/20/14. Grievances are allowed at any time regardless of when the sexual abuse occurred." In regards to emergency or sensitive grievances the policy states, "Upon receipt of a grievance marked "emergency" or "sensitive", the reviewing authority will have 24 hours to determine if it is in fact an emergency or sensitive grievance. If so, an expedited review will be conducted and a response provided to the offender within 48 hours of receipt, excluding weekends and holidays."

The inmate handbook outlines the grievance procedure. Oklahoma State Penitentiary has not had any grievances filed during this audit period.

### **§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "The facility shall maintain or attempt to enter into memoranda of understanding (MOU) or other agreements with community service providers who are able to provide offenders with confidential emotional support services related to sexual abuse. If a MOU/agreement is entered into, the facility will provide offenders access to the contact information for the community service provider as outlined in MOU/agreement.

There is a draft Memorandum of Understanding with Oklahoma State Penitentiary and Domestic Violence Intervention Services, Inc. pending approval. Contact Information from a Community Service Provider is given to Offenders.

Mandatory Reporting Map and Law were reviewed to ensure staff are aware of their requirements of the law.

Interviews with staff and inmates indicated inmates have access to support 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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard.

Oklahoma Department of Corrections PREA resource web page states the following in regards to third party reporting: "Oklahoma Department of Corrections accepts and investigates reports regarding allegations or knowledge of sexual abuse of offenders of third parties, (family, friends, clergy, vendors, contractors or any other person) having knowledge of an incident." Third party reporters can do the following:

1. Send an email to [preareport@doc.state.ok.us](mailto:preareport@doc.state.ok.us)
2. Call the PREA Reporting line at 1-855-871-4139
3. Call the ODOC Office of Inspector General at 405-425-2571
4. Verbally report to a DOC facility administrator or staff member ODOC Facility Information

The auditor reviewed the Posters on Third Party Reporting which indicates contacting the Office of Inspector General, 3400 Martin Luther King, Oklahoma City, OK 73111 or OSBI, 6600 North Harvey, Oklahoma City, OK 73116 or call \*73 on the housing phones.

### **§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. The policy requires any staff member to report immediately and according to agency policy and knowledge, suspicion, or information they receive regarding an incident of sexual abuse/harassment that occurred in a facility whether or not it is part of the agency. This policy also prohibits staff from revealing information related to sexual abuse or sexual harassment to any other than to the extent necessary to make treatment, investigation, or other security and management decisions.

Interviews with staff revealed they are aware of the reporting procedures to take concerning reports of sexual abuse or sexual harassment and about the limitations of confidentiality.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, “When the agency learns an offender is subject to substantial risk of imminent sexual abuse, it shall take immediate action to protect the offender.”

The Oklahoma State Penitentiary staff are familiar with procedures and trained in regards to their responsibilities of protecting an inmate when an inmate is subject to imminent sexual abuse or risk of imminent sexual abuse. The Cell Assessment Form also helps the facility make an assessment of the inmate’s risk of imminent sexual abuse.

At Oklahoma State Penitentiary, during the past 12 months, the number of times the agency facility determined that an inmate was subject to a substantial risk of imminent sexual abuse was zero (0).

Interviews with staff confirmed staff are knowledgeable and well trained in these protection duties.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "Upon receiving an allegation of an offender being sexually abused while confined at another facility/unit or contract facility the head of the facility/unit who received the allegation shall notify the head of the facility/unit or appropriate office of the agency where the alleged abuse occurred."

During the past 12 months, the number of allegations the facility received that an inmate was abused while confined at another facility was zero (0). In the past 12 months, there have been no allegations of sexual abuse received from other facilities regarding inmates transferred from the Oklahoma State Penitentiary.

#### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. The policy states, "Upon learning of an allegation that an offender was sexually abused: a. If the first staff member to respond is a correctional officer the following shall be required: (1) Separate the alleged victim and abuser; (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating." The policy further states, "If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then **notify security staff.**"

Oklahoma State Penitentiary was distributing laminated 2" x 3 ½ "first responder cards to each staff member that identifies first responder duties during the audit. These laminated cards identify the Department's policy on Zero Tolerance and the other side addressed the requirement of Coordinated Response to an Incident of

Sexual Abuse for first responder and supervisory staff. This card is to be placed with the employee's identification card for easy access and reminder in case of a sexual assault or sexual harassment incident.

OSP has not had an occurrence to preserve and protect crime scene during the past 12 month period.

Interviews with staff, investigative staff and higher intermediate level supervisors, confirmed staff was knowledgeable of first responder responsibilities.

### **§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. Facility OP-030601-01 field memorandum entitled "Oklahoma Prison Rape Elimination Act" is pending approval from Division Manager of East Institutions.

Staff are currently following the ODOC policy OP-030601 Prison Rape Elimination Act. Facility procedures have been outlined to provide a systematic notification in the response process following an incident of sexual abuse or sexual harassment.

Interviews with staff and the Warden indicated a team effort of coordinated actions to be taken in response to an incident of sexual abuse.

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

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

Central office reported there has been no collective bargaining agreement entered into or renewed since August 2012. Memo to the auditor indicates this standard is not applicable. Neither the Oklahoma Department of Corrections nor the Oklahoma State Penitentiary is a union organization.

## §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. **This policy states,** “The facility shall ensure any offender or staff reporting allegations of sexual abuse or sexual harassment or cooperate in an investigation involving such allegations are protected from retaliation by other offenders or staff. The facility/unit head shall designate staff to monitor retaliation and take appropriate action(s). There is a 90 day monitoring form. The PREA Compliance Manager is responsible for monitoring of any retaliation.

Interviews with staff and inmates confirmed knowledge of these protections and compliance with this standard.

Oklahoma State Penitentiary has not had an occurrence of sexual abuse/sexual harassment investigation from retaliation during the past 12 months.

## §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard.

Oklahoma Department of Corrections and Oklahoma State Penitentiary has policy prohibiting the placement of inmates who allege to have suffered sexual abuse, in involuntary segregation housing, unless an assessment of all available alternatives have been made. Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements for standard 115.43.

Oklahoma State Penitentiary has had zero (0) number of inmates who alleged to have suffered sexual abuse, who were held in involuntary segregated housing the past 12 months.

## §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard.

Oklahoma Department of Corrections (ODOC) policy **OP-040117 Investigations and Reporting Procedures** addressed this standard outlining investigatory guidelines. This policy includes direction of allegations of conduct which appear to be criminal and are referred for prosecution.

These policies also include investigative techniques, investigating sexual assaults, preservation of evidence in sexual assault crimes, interviewing and reporting guidelines, prosecutions, tracking of confirmed sexual assault predators, medical and mental health responsibilities and review teams.

All case records associated with claims of sexual assault, including incident reports, investigation reports, offender information and case disposition are retained in the Office of Inspector General investigation file.

Review of the specialized training Power Point used by investigations, the Specialized training rosters of investigators, the Incident Notification Checklist and Comprehensive Report documents confirms compliance with this standard.

One investigator of the Office of the Inspector General was interviewed and confirmed procedures for criminal and 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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "There shall not be any standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated."

Oklahoma Department of Corrections (ODOC) policy **OP-040117 Investigations** effective 4/29/14 addressed this standard. This policy states, "The purpose of the IG investigation is to determine whether there is sufficient information available to: 1. Determine whether sufficient facts, circumstances, and/or physical evidence exist to substantiate, refute, or dismiss allegations of criminal activity or administrative violations; 2. Recommend final disposition, based on a culmination of information received during any level of the investigative process; 3. Pursue prosecution of matters involving criminal activity; and 4. Pursue administrative actions involving policy and procedural violations."

Investigator interview confirmed compliance with this standard.

### **§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "Following an investigation into in offender's allegation that he or she suffered sexual abuse in a department facility ,the facility head or designee shall inform the offender victim at the conclusion of the investigation as to whether the allegation has been determined to be substantiated, unsubstantiated or unfounded." This policy also states, "Following an offender's allegation that a staff member has committed a sexual offense against the offender the facility head or designee shall "Subsequently inform the offender victim (unless the investigation determines the allegation is unfounded) whenever the staff member is: a) No longer posted at the offender's unit. b.) No longer employed at the facility. c.) Indicted on a sexual offense. d.) Convicted of a sexual offense."

Review of the Notification of Investigation Status form confirmed the notification requirement.

Interview with investigator confirmed that an inmate who makes an allegation that he suffered sexual abuse at OSP is informed verbally or in writing as to whether or not the allegation was determined to be substantiated or unsubstantiated or unfounded following an investigation. During the last 12 months, there were no administrative investigations of alleged inmate sexual abuse that were completed by the agency/facility.

### **§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "Sexual conduct between staff and offenders is strictly prohibited and subject to administrative disciplinary sanctions and referral for prosecution."

Oklahoma Department of Corrections (ODOC) policy **OP-110215 Individual Conduct of Employees** effective 4/28/14 addressed this standard. This policy states under the Code of Conduct section, "Refrain from conduct which constitutes violation of the agency's sexual abuse/sexual harassment policy as described in Section IV.B.2.(Laws/Rules/Regulations/Policies/Procedures/Directives and Orders) item a. of this procedure which references (Employees will comply with all laws, rules, and regulations, which apply to any aspect of their job duties, responsibilities, or state employment.)" It further states under the Investigation section, "The material omission regarding sexual misconduct on application materials, or the provision of materially false information, will result in discharge." Further outlined in policy under the section entitled Prohibited Relationships with Offenders addresses inappropriate sexual conduct, invasion of privacy, sexual assault, and goes further to describes duties and responsibilities in regards to PREA.

Oklahoma Department of Corrections (ODOC) policy **OP-110415 Progressive Discipline** effective 8/22/14 addressed this standard. Formal disciplinary actions will include sexual misconduct and/or harassment and causes for discharge, such as, Conduct Unbecoming a Public Employee, Conviction of a Crime Involving Moral Turpitude.

The presumptive disciplinary sanction for staff who have engaged in sexual abuse of an offender is termination. This is further outlined under Prohibited Conduct addressing inappropriate sexual conduct, invasion of privacy, sexual assault, and goes further to describe duties and responsibilities.

In the past 12 months, the number of staff from the facility who have violated agency sexual abuse or sexual harassment policies is zero (0).

### **§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy requires any contractor or volunteer who engages in sexual abuse shall be

prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, to relevant licensing bodies and the facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.

Oklahoma Department of Corrections (ODOC) policy **OP-090211 Volunteer Services** effective 4/24/14 addressed this standard. This policy states, "Volunteers must maintain a professional relationship with offenders at all times. Inappropriate relationships will be cause for removal of the volunteer from volunteer status. Sexual misconduct or any other violation that suggests criminal activity by volunteers will result in information being forwarded to local jurisdictions for charges to be filed."

Oklahoma Department of Corrections holds volunteers and contractors who would engage in sexual abuse or sexual harassment to the same standards required as Department of Correction's employees.

In the past 12 months, the number of contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates was zero (0).

### **§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)

Oklahoma Department of Corrections (ODOC) policy OP-060125 **Disciplinary Procedures** effective 10/16/12 addressed this standard. This policy request inmates be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding of guilt for inmate-on-inmate sexual abuse and sanctions shall be commensurate with the nature and circumstances of the abuse committed. The Oklahoma Department of Corrections Disciplinary procedures section 06 Classification, OP 060125 and its attachments Acts Constituting Rule Violations (Attachment A – OP-060125) defines all offender disciplinary rule violations and specifies the allowable range of disciplinary sanctions authorized by Oklahoma Department of Corrections for each violation.

The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his behavior when determining what type of sanction, if any, should be imposed. Mental Health Recommendations (DOC 060125R) form is utilized and the Monthly Medical Activity Report includes information on sexual assault incidents.

Interviews with staff and inmates confirm disciplinary sanctions for inmates are according to the PREA standard requirement.

In the past 12 months, the number of administrative or criminal findings of inmate sexual abuse that have occurred at Oklahoma State Penitentiary is zero (0).

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "If the screening indicates an offender has experienced or perpetrated prior sexual victimization, whether it occurred in an institutional setting or in the community setting, staff shall ensure the offender is offered a follow-up meeting with a mental health provider within 14 days of the intake screening." The policy further states, "The facility shall use information from the risk screening evaluation in accordance with OP-030102 (Attachment A) in order to inform staff making housing, work, education, and program assignments; with the goal of keeping those offenders who are at risk of being sexually victimized separate from those at high risk of being sexually abusive."

All inmates at Oklahoma State Penitentiary that disclose prior sexual victimization during screening are offered follow-up with a medical or mental health practitioner. Information related to sexual victimization or abusiveness that occurred is strictly limited to medical and mental health providers. Medical and Mental Health practitioners obtain informed consent before reporting prior sexual victimization that did not occur at an institutional setting. Review of the Intra-Facility Health Screening Form and Cell Assessment forms indicated they were in alignment with this standard.

In the past 12 months, 100% of inmates who disclosed prior victimization during the intake screening process were offered a follow-up meeting with a medical and mental health practitioner within 14 days of the intake screening.

Interviews with Medical and Mental Health practitioners confirmed they have received specialized training regarding sexual abuse and sexual harassment. Inmates also confirmed that medical and mental health services are available to them.

### §115.82 – Access to emergency medical and mental health services

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

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. The responsibility section outlines health services regarding inmate victims of sexual abuse including timely, unimpeded access to emergency medical treatment and crisis intervention services, at no cost to the inmate, the nature and scope of which are determined by medical and mental health staff. If no qualified medical or mental health staff are on duty at the time, security staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health staff.

Oklahoma Department of Corrections (ODOC) policy OP-140118 **Emergency Care** effective 6/18/14 addressed this standard. This policy states, "While incarcerated, victims of sexual abuse will be offered timely information about and timely access to emergency contraceptives and sexually transmitted infections prophylaxis according to medical protocol, where medically appropriate." It further states, "Alleged victims of non-consensual sexual contact will be provided unimpeded access to emergency medical treatment of crisis intervention services, and referred to a local community provider for any additional treatment, gathering of evidence, and forensic examination. (A) Clinical management will be in accordance with MSRM 140118-01 entitled "Management of Alleged Victims of Non-consensual Sexual Contact." If during non-business hours, staff will notify medical and mental health providers. In regards to pay for any of these treatment services this policy states, "Treatment services will be provided to the victim without any co-pay and regardless of whether the victim names the abuser or cooperates with any investigation arising from the reported incident."

The Oklahoma State Penitentiary staff are familiar with procedures and trained in regards to their responsibilities of protecting an inmate when an inmate is subject to imminent sexual abuse or risk of imminent sexual abuse. Oklahoma State Penitentiary provides 24 hour health services. The local contact hospital for emergencies for Forensic exams is conducted utilizing a Sane Nurse through Hillcrest Medical Center Tulsa, Oklahoma. Treatment services are provided to every victim without financial cost. Offenders receive an Offenders Guide to Sexual Misconduct which provides information on available services. If an incident were to occur the Incident reports are available to ensure inmates have received protection by separation of victim and abuser. Progress Notes would also be available showing time of treatment, STD information and no co-pay. There is a memo to the auditor that OSP has not had any occurrences of sexual abuse during this audit period.

Interviews with staff indicated they knew what to do as a first responder to an allegation of sexual abuse.

**§115.83 – Ongoing medical and mental victims and abusers**

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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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "If the screening indicates an offender has experienced or perpetrated prior sexual victimization, whether it occurred in an institutional setting or in the community setting, staff shall ensure the offender is offered a follow-up meeting with a mental health provider within 14 days of the intake screening."

Oklahoma Department of Corrections (ODOC) policy **Emergency Care** effective 6/18/14 states, "Prophylactic treatment and follow-up for sexually transmitted diseases will be offered to all victims as clinically appropriate." It further states, "Treatment services will be provided to the victim without any co-pay and regardless of whether the victim names the abuser or cooperates with any investigation arising from the reported incident."

Oklahoma State Penitentiary is a male facility. The Offenders Guide to Sexual Misconduct states, "If an offender is a victim of sexual harassment or sexual assault, he/she has a right to the services described in this guide. (The medical services fee will be waived in cases of sexual misconduct)." This auditor reviewed examples of Zero Tolerance Acknowledgment of offenders and randomly asked for one to review the acknowledgements were signed appropriately.

Based on interviews with medical and mental health staff inmates are evaluated and will receive treatment to include follow-up services, treatment plans and referrals for continued care in another facility or after inmates have been released from custody. Staff also indicated that a mental health evaluation of all known inmate-on-inmate abusers and other treatment is provided if appropriate as soon as information is received. Random interviews with inmates also confirmed compliance with this standard.

The auditor reviewed a memo from the Oklahoma State Penitentiary Warden stating OSP has not had any incidents of sexual abuse this audit period.

### **§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "In all instances when sexual abuse is not unfounded (whether substantiated or unsubstantiated) through an investigation, at the conclusion of the

investigation the facility shall conduct a sexual abuse incident review. This review shall occur within 30 days of the receipt by the facility or of the OIG investigative findings." The policy states, "The review team shall include administrative staff, with input from line supervisors, investigators, medical/mental health professional and facility PREA compliance manager." The review team meets monthly and the OSP review team includes the Warden, Deputy Warden, Chief of Security, Correctional Health Services Administrator, Psychologist and PREA Compliance Manager.

In the past 12 months, the number of criminal and/or administrative investigations of alleged sexual abuse completed at this facility, excluding only "unfounded" incidents was four (4).

Based on staff interviews with members of the incident review team, the team review problems in policies, practices, dynamics, physical barriers, staffing, and monitoring.

### §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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. The agency is to maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews according to this policy.

The Office of Inspector General collects accurate information and uniform data for every allegation of sexual abuse at facilities of the Oklahoma Department of Corrections using a standardized instrument and set of definitions. Incident-based data collected shall include, 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 aggregates this incident based sexual abuse data, at least annually. The Office of the Inspector General annual report is approved by the Director, available on the Oklahoma Department of Corrections website and updated annually meeting the requirements of this 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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "The report will be approved by the director and made available on the agency website and updated annually. Individually identifying information will be redacted."

A review of the agency's website confirmed the agency is in compliance with this standard. The auditor reviewed the agency's annual PREA Report for 2012 and 2013. Both reports contained a PREA Analysis/Corrective Action for the Oklahoma Department of Corrections. Interviews with the Agency Director and PREA Compliance Coordinator were also reviewed. These interviews had been conducted previously in ODOC by another auditor.

**§§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)

Oklahoma Department of Corrections (ODOC) policy **OP-030601, Prison Rape Elimination Act** effective 11/25/2014 addressed the requirements of this standard. This policy states, "The Office of Inspector General shall collect accurate, uniform data for every allegation of sexual abuse at facilities using a standardized instrument and set of definitions. The data shall be securely retained." The policy further states, "The agency shall maintain sexual abuse data collected pursuant to 115.87 for at least ten years after the date of the initial collection unless Federal, State, or local law requires otherwise."

The Office of the Inspector General makes available to the public, its annual report on PREA on the agency's website.

**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.

*Cathy Slack*

Auditor Signature

May 29, 2015

Date