

PREA AUDIT REPORT Interim Final
ADULT PRISONS & JAILS

Date of report: 6/23/2020

Auditor Information			
Auditor name: DeShane Reed			
Address: 2760 Fortune Circle E. Ste. #421424; Indianapolis, IN 46241-9998			
Email: drbconsultinggroup@gmail.com			
Telephone number: (501) 777-3102			
Date of facility visit: October 26, 2018 through October 28, 2018			
Facility Information			
Facility name: Arecibo Correctional Institution #728			
Facility physical address: Carr. 628 KM 3.9 Bo. Manantiales Sector Jobales Sabana Hoyos, Arecibo PR. 00688			
Facility mailing address: <i>(if different from above)</i> HC 1 Box 71672 Sabana Hoyos, PR 00688			
Facility telephone number: (787) 881-1350 Ext. 222 or 223			
The facility is:	<input type="checkbox"/> Federal	<input type="checkbox"/> State	<input type="checkbox"/> County
	<input type="checkbox"/> Military	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private for profit
	<input type="checkbox"/> Private not for profit		
Facility type:	<input checked="" type="checkbox"/> Prison	<input type="checkbox"/> Jail	
Name of facility's Chief Executive Officer: Marilu Acevedo-Perez/ Evelyn Quintero-Hernandez			
Number of staff assigned to the facility in the last 12 months: Need this Information from DCR-PR			
Designed facility capacity: 400			
Current population of facility: 259			
Facility security levels/inmate custody levels: Minimum Security/Custody			
Age range of the population: 18 and above			
Name of PREA Compliance Manager: Norma Lopez-Sanchez		Title: Correctional Officer	
Email address: nlsanchez@dcr.pr.gov		Telephone number: (787) 881-1350	
Agency Information			
Name of agency: Department of Correction and Rehabilitation-Puerto Rico			
Governing authority or parent agency: <i>(if applicable)</i> Estado Libre Asociado de PR (Free Associated State of Puerto Rico)			
Physical address: Juan Calaf Avenue, Urb. 3 Nuns, Hato Rey P.R. 00917 (Avenida Juan Calaf, Tres Monjitas, Hato Rey P.R. 00917)			
Mailing address: <i>(if different from above)</i> Section 71308, San Juan, P.R. 00936 (Apartado 71308, San Juan P.R. 00936)			
Telephone number: (787) 273-6464			
Agency Chief Executive Officer			
Name: Erik Y. Rolon Suarez		Title: Secretary	
Email address: erolon@dcr.pr.gov		Telephone number: (787) 273-6464	
Agency-Wide PREA Coordinator			
Name: Sinaira Camacho Heredia		Title: Head of Rehabilitation and Treatment-DOCR	
Email address: scamher@dcr.pr.gov		Telephone number: (787) 273-6464	

AUDIT FINDINGS

NARRATIVE

On October 26, 2018, in coordination and cooperation with the Puerto Rico Department of Correction and Rehabilitation (DCR-PR), USDOJ Certified PREA Auditor DeShane Reed conducted a facility audit of the DCR-PR Arecibo-728 Corrections Facility. The audit commenced with Pre-Audit Briefing meeting, consisting of DCR-PR Arecibo-728 Corrections Institution administration and supervisory security staff. In attendance was the following from DCR-PR Arecibo-728 Corrections Institution: Arecibo-728 Superintendent I, Arecibo-728 Superintendent II, Puerto Rico PREA Liaison/Translator, Arecibo-728 PREA Compliance Manager, Correctional Officer 1, Lieutenant Commander, DCR-PR PREA Compliance Manager. The PRE-Audit meeting commenced with introductions, review of the PREA audit schedule and agenda, on-site document requests, lists of inmates for interviewing and a tour of the entire DCR-PR Arecibo-728 Corrections Institution.

The PREA audit (October 26, 2018 to October 28, 2018) commenced with a full tour of DCR-PR Arecibo-728 Corrections Institution multiple open dormitory housing locations, program locations, various workshops, cafeteria, food prep kitchen, warehouse, laundry, showering locations, offices, recreation and educational locations within DCR-PR Arecibo-728 Corrections Institution. After a complete tour and initial on-site documentation review, the PREA Auditor moved into interviewing a selecting a random sample of inmates. A total of 19 inmates were interviewed, with a specific selection focused on the following category of inmates, based on PREA audit requirements: (Inmates with prior victimization, LGBTI, disability, current allegation, limited English proficiency, and an inmate in segregation). The PREA Audit also consisted of 24 interviews of a random selection of DCR-PR Arecibo-728 Corrections Facility staff including: Arecibo-728 PREA Compliance Manager, Investigation/Retaliation Team, Human Resources, Contractors, Volunteers, Medical/Mental Health Practitioners, Intake and Classification, Contracted Medical Personnel, Psychologist and other DCR-PR Arecibo-728 Corrections Facility specialized staff. The PREA Auditor also reviewed multiple files and physical documents while on-site, which allowed the PREA auditor to verify if DCR-PR Arecibo-728 Corrections Facility was in compliance with PREA facility standards and/or confirm any areas of non-compliance.

On October 28, 2018, the PREA Audit of DCR-PR Arecibo-728 Corrections Facility concluded with a Post-Audit Debriefing. The same representatives from the Pre-Audit Briefing meeting were in attendance. The PREA Auditor shared that the information presented by the auditor within this Post-Audit Debriefing did not depict a final audit reporting. The PREA Auditor continued by sharing several highlights of the DCR-PR Arecibo-728 Corrections Institution. The staff was welcoming and pleasant to the PREA Auditor. Staff seemed to be very positive and eager to learn more about PREA, as well as share their current knowledge of PREA. The open bay housing dormitory was very clean and organized physical facility and the facility seemed to have variety of program options for inmates to participate. The PREA Auditor also thanked DCR-PR Arecibo-728 Corrections Facility for allowing this auditor unimpeded access to the entire facility, through tour, document access, inmate access, and flexibility of interviews. The PREA Auditor also shared any observable areas that were not meeting standards and likely require a Corrective Action.

As it pertains to PREA Physical Plant observations, DCR-PR Arecibo-728 Corrections Facility does not have access to camera use within the facility. The 4 housing locations are open dormitory single level beds with a $\frac{3}{4}$ divider between every two beds. Though this posed a clear sight path for Correctional Officers, the open concept still allowed observation with proper vigilant supervision. Arecibo-728 had 3 occupied housing units which consisted of this same style of single level beds with $\frac{3}{4}$ divider between every bed. The fourth housing unit was closed for construction, to create Arecibo-728's new open dormitory bunkbed style housing units. The PREA Auditor observed this construction underway. This auditor observed that the locations of the showers and toilet in all of Arecibo-728's housing units were behind a large cement wall in the back of each housing unit. This location coupled with a lack of camera, or two-way mirror, or vigilant documented supervision, could lend itself to a potential PREA-related incident. Additionally the showers were multiple person showers with clear shower curtains. This disallowed privacy for individual inmates. The toilet stalls in each housing unit was either doorless (disallowing privacy) or, doors were too high (top) and too long (bottom), with not visual access for staff to observe and potential inappropriate activity. The PREA auditor noted that some identified shower rooms, bathrooms and storage areas were without windows, mirrors, cameras, nor supervision to deter any PREA-related incidents of sexual abuse/harassment/assaults. The auditor observed that the door to the maintenance office, where inmates frequent, was a solid door. Arecibo-728 staff is unable to visually see activity in this location. The "Administrative Remedy" (inmate grievance and written reporting box) box was only in the dining hall. If an inmate was disallowed access to the dining hall, the inmate would not have any other location to submit and "Administrative Remedy."

The Post-Audit Debriefing concluded with the Auditor thanking the DCR-PR Arecibo-728 Corrections Institution staff for their cooperation, efficiency and coordination in allowing the audit to move along in an even flow. The PREA Auditor also informed the DCR-PR Arecibo-728 Corrections Institution staff that a PREA Interim Audit report will be submitted 45-60 days from the conclusion of the facility audit.

Each of the above-mentioned physical plant observations by this PREA Auditor, during the onsite audit, were remedied over the length of Arecibo-728's Corrective Action period, with technical assistance provided by this PREA Auditor. In other questionable areas, DCR-PR Arecibo-728 Corrections Institution was able to show and share with the PREA Auditor their staffing plan, and documented "rounds monitoring," consistent staff supervision to serve as adequate substitutions and supplements.

DESCRIPTION OF FACILITY CHARACTERISTICS

DCR-PR Arecibo-728 Corrections Institution is a 400-inmate capacity Minimum Custody Correctional Institution. DCR-PR Arecibo-728 Corrections Institution houses only male inmates ages 18 and older. According to the facility, they do not house youthful inmates. The physical plant consists of approximately 11 buildings, which houses Arecibo-728's dining room, kitchen, chapel, classrooms, recreation room, machine shop, maintenance, visitation room, and 4 open bay multiple occupancy dormitory-style housing units (1 housing unit under construction-unoccupied). Each of Arecibo's three occupied housing units has two 50-bed sleeping locations (side-by-side) separated by a long ¾ divider, a day space, showers, toilets, and hygiene sinks. Housing Unit #1 is currently closed and unoccupied. Inmates are monitored through a rotations of security staff, who are expected to conduct and document "rounds" a minimum of one hour per round. Additionally, supervisory staff are required to conduct unannounced rounds throughout their daily shifts. Additional services and programs provided within the Arecibo-728 Corrections Institution consists of education, vocational training and workshops, recreation, maintenance, mental health offices, medical services, and dining halls.

Due to not having no camera technology for video monitoring assistance, DCR-PR Arecibo-728 Corrections Institution rely heavily on staff supervision through sight/sound supervision by Correctional Officers, as well as predictable and random unannounced rounds per shift by Supervisory security staff (Sergeant or higher). To make up for blind spots, DCR-PR Arecibo-728 Corrections Institution relies heavily on consistent, vigilant and unpredictable staff sight and sound supervision. At the time of the PREA Facility Audit, DCR-PR Arecibo-728 Corrections Facility had approximately 80 staff employed, as well as approximately 15 volunteers and contracted individuals who have contact with inmates within their daily roles at DCR-PR Arecibo-728 Corrections Institution. Finally, DCR-PR Arecibo-728 Corrections Institution works in cooperation with the Office of Investigations of the Correctional System (OISC) regarding institution-related PREA Investigations. Arecibo's PREA Investigation Team works in collaboration with Puerto Rico's OISC by gathering institutional evidence, conducting interviews, and retrieving documents relevant to the PREA Investigations.

Finally, DCR-PR Arecibo-728 Corrections Institution's emergency medical services are largely provided by their Medical Center located at DCR-PR Arecibo-728. Arecibo-728 medical services are largely provided through a contractual relationship partnership with "Physicians Correctional Group." "Physicians Correctional Group" provides 24 hour emergency triage services for DCR-PR Arecibo-#216, #728, and #384 Corrections Facilities. Any inmate requiring medical care beyond the scope of "Physicians Correctional Group," is transported to Centro Medical in San Juan, Puerto Rico. Centro Medico's Certified SANE Nurses also conducts any forensic sexual assault medical exams.

SUMMARY OF AUDIT FINDINGS

The PREA site audit of DCR-PR Arecibo-728 Corrections Institution consisted of a comprehensive assessment (October 26, 2018 to October 28, 2018), related to PREA's mission of prevention, detection, responding to instances of sexual abuse/sexual harassment, and the freedom from retaliation when reporting sexual abuse/harassment. The PREA Institution Audit also consisted of assessing the 43 PREA standards. The assessment of the DCR-PR Arecibo-728 Corrections Institution included an exhaustive facility tour, review of electronic and on-site documents, reviewing investigations and retaliation follow-up documentation, comprehensive interviews with inmates, staff, volunteers, and DCR-PR Arecibo-728 Corrections Facility Administrators.

Based on the audit findings of 43 total PREA Standards, there were 26 PREA Standards in Compliance, 0 PREA Standard which were Non-Applicable, and 17 PREA Standards which were Non-Compliant and requiring Corrective Action. DCR-PR Arecibo-728 Corrections Institution PREA Standards requiring Corrective Action are as follows: 115.13, 115.15, 115.16, 115.17, 115.21, 115.32, 115.33, 115.51, 115.53, 115.54, 115.63, 115.67, 115.72, 115.76, 115.77, 115.78, and 115.81. The above-mentioned identified PREA standard areas requiring Corrective Action were either non-existent, in their beginning stages of compliance and require procedural consistency over time to be considered in compliance, or the institution's policy language did not align with the specific PREA standard.

With technical assistance from this PREA Auditor, through Arecibo-728's Corrective Action period, DCR-PR Arecibo-728 coordinated a plan of action steps to mitigate each Non-Compliant Standard area and bring each into Compliance. DCR-PR Arecibo-728 was able to successfully adjust their policies, trainings, and establish a consistency of institutional practices to bring them into compliance with the 43 PREA Standards.

Number of standards exceeded: 0

Number of standards met: 43

Number of standards not met:

Number of standards not applicable: 0

Standard 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA Coordinator

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for Standard 115.11. DCR-PR Arecibo-728 Corrections Facility submitted DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions” as evidence of compliance with PREA Standard 115.11. DCR-PR’s “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions” (VII-A, B, C) states, *“The Nominating Authority will appoint a “PREA Coordinator” who has the authority to implement and oversee the Agency’s efforts in complying with the PREA standards in all correctional institutions. “Regional Compliance Manager” (North, South, and NJJ) will be employees appointed by the Nominating Authority, who have the authority to coordinate efforts in the correctional institutions, for the implementation of the PREA Standards. The Superintendent of each institution appoints a “Compliance Officer” to serve as the institution’s PREA Liaison. The PREA “Compliance Officers” verify that their institution has posters and information leaflets about PREA, ensure that the established protocol is followed when an incident of sexual violence occurs, and notify the Regional Compliance Manager about any allegations or incidents of sexual violence and complete required reports.”*

Also, DCR-PR’s Organizational Chart identified Sinaira Camacho Heredia as DCR-PR’s PREA Coordinator who oversees the DCR-PR’s efforts to comply with PREA standards in all DCR-PR Correctional Institutions.

This PREA auditor concludes this standard to be in compliance and meets the above-mentioned PREA Standard.

Standard 115.12 Contracting with other entities for the confinement of inmates

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

According to DCR-PR Arecibo-728 Corrections Facility’s Pre-Audit Questionnaire, the institution does contract with any entities for confinement of its inmates. Arecibo-728 has submitted electronic verification of DCR-PR contracting for the confinement of inmates at Arecibo-728 in the past 12-months.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.13 Supervision and monitoring

- Exceeds Standard (substantially exceeds requirement of standard)

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for Standard 115.13. This PREA Auditor reviewed DCR-PR’s institution-wide “Policy for Rounds of Supervision; Article VIII” which states, “*Regional Security Director visits their respective institutions twice a month randomly. The Institution’s Superintendent should make rounds throughout their facility and the living quarters twice a week. Chief of Guards should randomly make rounds of the all their respective institution’s living quarters three time a week. The Shift Supervisor is mandated to randomly visit all the living quarters at least once on every shift 7 days a week (plus any situation which is required).*”

The PREA Auditor also reviewed “Documents Rounds Logs” submitted through the Pre-Audit Questionnaire’s electronic documentation and while conducting the on-site audit, which verified unannounced rounds of Supervisory Staff. The auditor also was present on site and observed three unannounced rounds conducted by supervisory staff. This auditor was able to review on-site and discuss DCR-PR Arcibo-728 Corrections Facility’s staffing plan with the two facility’s Superintendents and the PREA Coordinator. Each shared DCR-PR’s mandatory overtime policy currently in place and temporary reassigning of staff from other institutions to address staffing shortages.

This PREA Auditor also recommended that DCR-PR add a section in their “Policy for Rounds of Supervision” to comply with PREA Standards. Due to unclear consistency on “Documented Rounds” and the PREA-related language in DCR-PR’s policy needing adjusting, this PREA auditor concluded this standard was not in compliance with the above-mentioned PREA Standard. A Corrective Action was required.

During Arcibo-728’s Corrective Action period, Arcibo-728 submitted their adjusted rounds sheets to demonstrate a clearer picture of supervisory unannounced rounds. Additionally, the Department of Correction and Rehabilitation-Puerto Rico (DCR-PR) adjusted their “PREA Standards Regulations” policy to bring Arcibo into alignment with PREA Standard 115.13.

After this auditor’s review of policy adjustments and review of consistency in practice, DCR-PR Arcibo-728 is in compliance with PREA Standard 115.13.

Standard 115.14 Youthful inmates

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arcibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.14. DCR-PR Arcibo-728 Corrections Facility also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XVII-Information Gathering) as evidence of compliance with PREA Standard 115.14 which states, “*Keep separate the members of the young adult population from the members of the adult corrections population.*” Additionally, this auditor reviewed classification documentation submitted by Arcibo-728, where youthful inmates were redirected to other DCR-PR institutions which housed youth (under 18 years old) and those institutions which housed young adults (ages 18-21).

Moreover, during the on-site visit, this PREA Auditor did not observe nor reviewed documentation submitted within the “Daily Population Report” (12-month report) that any youthful inmates resided at DCR-PR Arecibo-728 Corrections Facility.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.15 Limits to cross-gender viewing and searches

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for Standard 115.15. This PREA Auditor reviewed DCR-PR “Administrative Order 2016 Respect and Interaction with the LGBTQ Population” which stated, “*Security personnel should be trained to perform the pat-searches or records the transgender population in a professional manner, and less invasive as possible, without neglecting safety aspects.*” Additionally, “DCR-Administrative Order Procedures” (VIII, Page 8), submitted electronically by Arecibo-728 states, “*DCR Correctional Officials may not under any circumstance search an inmate solely to determine their sex or genital status. If this is unknown, it can be determined during talks with the inmate or through private medical exams with a medical practitioner.*” Finally, DCR-PR “*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions*” states, “*Members of the LGBTIN correctional population will have the same opportunities and access to the programs as others. It will be provided with facilities that allow the inmate to provide the same level of security as the rest of the correctional population. Physically examining members of the intersectional or transgender correctional population for the sole purpose of determining their genital status will not be allowed.*”

Though the DCR-PR Policies, Administrative Orders, and Documents submitted aligns with PREA-Standard 115.15, its language is not captured in one location. Additionally, during interviews, it was a consensus that staff of opposite gender consistently announces when entering a housing location. Additionally, through inmate interviews, there was consistency in inmates stating that they can shower or use the toilet without being viewed by staff of the opposite gender viewing them (barring exigent security procedures).

This PREA Auditor can clearly see that many pieces of this Standard are present, however the Policies and Procedures were not located in easily accessible locations. All PREA-Related Policies and Procedures needed to be located together in case needed for reference. This auditor recommended a refresher training of all institutional security staff in Cross-Gender Searches and Transgender Searches. This PREA Auditor also recommends that ALL PREA-Related Policies, Regulations, and Procedures be captured in the submitted DCR-PR “*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions.*”

During Arecibo-728’s Corrective Action period, Arecibo-216 adjusted their Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*” to bring Arecibo 728 into alignment with PREA Standard 115.15.

After this auditor’s review of policy adjustments and review of consistency in practice, DCR-PR Arecibo-728 is in compliance with PREA Standard 115.15.

Standard 115.16 Inmates with disabilities and inmates who are limited English proficient

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

- Does Not Meet Standard (requires corrective action)

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.16. This PREA Auditor reviewed DCR-PR’s electronically submitted “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions” (Page 17). DCR’s “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions” language did not align with PREA Standard 115.16.

Additionally, during this PREA Auditor’s interviews with staff and inmates, there was no consistent answers in the institution’s response to Limited-Spanish proficient inmates. Most interviewees responded that there were enough inmates and staff to assist with interpretations. There was an inconsistency in knowledge of interpreters available or systems in place for translating. This was not aligned with PREA Standard 115.16, which prohibits the use of inmate interpreters except in limited circumstances.

This PREA Auditor recommended that DCR-PR adjust their “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions” language to align with PREA Standard 115.16. Additionally, the PREA Auditor recommend identifying an interpretive service hotline. This PREA auditor concluded that DCR-PR is not in compliance with PREA Standard 115.16. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-216 made adjustments to their Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions” to bring Arecibo-728 into alignment with PREA Standard 115.16. Arecibo-728 leadership also shared that their hiring practices includes targeting prospective candidates who are bilingual. Furthermore, more than 95% of their inmates and staff are Spanish-speaking or Spanish-English bilingual.

After this auditor’s review of policy adjustments and review of consistency in practice, DCR-PR Arecibo-728 is in compliance with PREA Standard 115.16.

Standard 115.17 Hiring and promotion decisions

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor was unable to review pre-audit documentation, due to DCR-PR Arecibo-216 Corrections Facility, submitting no evidence in its electronic folder. This Auditor was also unable to conducted on-site interviews with DCR’s Human Resources personnel, due to DCR-PR’s HR scheduling conflict. Though DCR-PR Arecibo-728 Corrections Facility’s Pre-Audit Questionnaire, stated that DCR-PR’s Hiring and Promotion Policy meets all the components of PREA Standard 115.17, no evidence was available to confirm.

This PREA Auditor, recommended that DCR-PR submit “policy evidence” which has language which aligns with PREA Standard 115.17. This auditor also recommended DCR-PR submit “examples of random employee files” which demonstrates that DCR-PR practice aligns with PREA Standard 115.17. This PREA auditor concluded this standard was not in compliance with the PREA Standard 115.17. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 adjusted their Department of Corrections and Rehabilitation-Puerto Rico

(DCR-PR) “Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions” to bring Arecibo-728 into alignment with PREA Standard 115.17. DCR-PR also submitted background checks and screening conducted prior to hiring, promoting, contracting, as well as checks completed current staff (within 5 years).

After this auditor’s review of policy adjustments and review of consistency in practice, DCR-PR Arecibo-728 is in compliance with PREA Standard 115.17.

Standard 115.18 Upgrades to facilities and technologies

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor was unable to review pre-audit documentation, due to DCR-PR Arecibo-728 Corrections Institution, submitting no evidence in its electronic folder. Though this auditor did not review any documentation submitted by DCR-PR Arecibo-728, while onsite, this auditor did observe DCR-PR Arecibo-728 making upgrades to their housing unit #1. The modifications entailed, modifying the housing unit to an open bay bunk-style housing unit. Arecibo-728 explained that this would allow the Corrections Officers to have better sight and sound supervision. Furthermore, Arecibo-728 Superintendents stated, Housing unit #2, #3, and #4 will be upgraded in the same fashion. When housing unit #1 is completed, housing unit #2 inmates will move into #1, then housing unit #2 will be modified, and so on with #3 and #4.”

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.21 Evidence protocol and forensic medical examinations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor was unable to review pre-audit documentation to confirm compliance with PREA Standard 115.21 (Evidence Protocol and Forensic Examinations), due to DCR-PR Arecibo-728 Corrections Facility submitting no evidence in its electronic folder for this auditor to assess. However, while conducting the on-site audit of DCR-PR Arecibo-728, this auditor was able interview DCR-PR Arecibo Institutions Medical Emergency Services contractor “Physicians Correctional Group” Emergency Room Supervisor (housed in Arecibo-728 Corrections Institution), who provided evidence of Sexual Assault and Forensic Examinations Protocol. Additionally, this auditor interviewed security staff at Arecibo-728. Each had varied responses, when asked about the institution’s protocol on obtaining and preserving using evidence when a sexual abuse is alleged.

Though portions of Arecibo-728 practices appeared to be aligned with PREA Standard 115.21, there were practices, as well as policy which did not meet this standard. Additionally, this PREA auditor did not receive DCR-PR’s PREA policy related to this standard 115.21.

This auditor recommended that Arecibo-728 adjust their DCR-PR *“Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions.”* Additionally, this PREA Auditor recommended that all Arecido-728 staff who have contact with inmates, receive formal training focused on, *“uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions.”* This PREA auditor concluded that this standard was not in compliance with the above-mentioned PREA Standard. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) *“Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions”* to bring Arecibo-728 into alignment with PREA Standard 115.21. DCR-PR also submitted documentation of Arecibo-728 staff receiving training covering universal evidence preservation protocols, reporting, and coordinated responses.

After this auditor’s review of policy adjustments and review of consistency in practice, DCR-PR Arecibo-728 is in compliance with PREA Standard 115.21.

Standard 115.22 Policies to ensure referrals of allegations for investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.22. DCR-PR Arecibo-728 Corrections Facility also submitted the DCR-PR *“Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIV-Page 27)* as evidence of compliance with PREA Standard 115.22 which states, *“All sexual violence complaints and allegations, including those referred by third parties and anonymous, will be subject to administrative investigation. The same will be carried out in an objective, exhaustive manner and within a term of forty-five (45) calendar days. The Office of Investigation of the Correctional System (OISC), will carry out the investigations of the incidents of sexual violence that occurred in the correctional facilities. The investigation process that is detailed in this Regulation, will not be in conflict with the Guide of Norms and Procedure for the Investigations of the OISC, nor with the norm 13.1.2 of the Manual of Norms, Policies and Procedures of the Bureau of Youth Institutions.”*

Additionally, this PREA auditor verified through documentation and an interview the DCR-PR’s PREA Coordinator and PREA Investigation Team that all DCR-PR institutional sexual abuse investigations are assigned to OISC. DCR-PR institution’s investigators team collaboratively works with OICS to gather and evidentiary information to determine conclusion of the sexual abuse allegation.

This PREA auditor concludes this standard is compliant with the above-mentioned PREA Standard.

Standard 115.31 Employee training

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion

must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.31. DCR-PR Arecibo-728 Corrections Facility also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-Page 16-18) as evidence of compliance with PREA Standard 115.31 which states, “All officials who have direct contact with members of the correctional population will be trained on the policy of zero tolerance for sexual violence. Officials must comply with their responsibilities as established by PREA. Subsequently, the training will be offered every two (2) years. The training of the officials will consist of and will include the following:

1. Responsibilities and role of personnel in the prevention, detection, report and response procedure of the Agency.
2. The right of members of the correctional population to be free from sexual violence.
3. The right of members of the correctional population and officials to be free from retaliation for reporting allegations or incidents of sexual violence.
4. Dynamics of sexual violence in confinement and the most common reactions of victims of sexual violence.
5. Professional behavior and methods of effective communication with members of the correctional population, including individuals from the LGBTIN community, with some type of impairment by language or race.
6. How to avoid inappropriate relationships with members of the correctional population.
7. Comply with related laws to report incidents of sexual violence to outside authorities and appropriate ways to respond.

Through educational material in the form of booklets, pamphlets, signs and videos, it will be published on the official website of the Department of Correction and Rehabilitation, for use as PREA reference. The training must be signed to be documented by officials, volunteers or contractors, which will show if there was comprehension of the information they received. The security personnel will receive training in how to perform the searches and records to the members of the correctional population and transgressors of the opposite gender. The registries to members of the correctional population, transgender and intersex transgressors, will be made in the least invasive way possible, respectful and professionally.”

Additionally, this PREA auditor verified through reviewing sign-in sheets submitted electronically, as well as on-site. DCR-PR Arecibo-728 Corrections Institution also submitted a copy of their Power Point training slides to verify training material.

This PREA auditor concludes this standard is compliant with the above-mentioned PREA Standard.

Standard 115.32 Volunteer and contractor training

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.32. DCR-PR Arecibo-728 Corrections Facility also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-Page 16-18) as evidence of compliance with PREA Standard 115.32. DCR-PR’s “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-Page 16-18) did not have any policy language related to PREA Standard 115.32.

Additionally, DCR-PR Arecibo-728 Corrections Facility submitted sign-in sheets of PREA education for volunteers or contractors, as evidence of volunteer training. DCR-PR Arecibo-728 Corrections Facility also submitted a copy of their employee Power Point training slides to verify training material. This auditor recommended that DCR-PR adjust their “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions” to whose language aligns with PREA Standard 115.32. This PREA auditor concludes that this standard was not in compliance with PREA Standard 115.32. A Corrective Action was required.

During Arecibo-728's Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) "*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*" to bring Arecibo-728 into alignment with PREA Standard 115.32

After this auditor's review of policy adjustments and review of consistency in practice, DCR-PR Arecibo-728 is in compliance with PREA Standard 115.32.

Standard 115.33 Inmate education

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.33. DCR-PR Arecibo-216 Corrections Facility also submitted the DCR-PR "*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-D; Page 19)*" as evidence of compliance with PREA Standard. Additionally, the DCR-PR "*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-D; Page 19)*" did not have all of the necessary language to be concluded as compliant. Additionally, during on-site inmate interviews, more than 70% of the interviewed inmates recalled receiving a brochure and observing visual posters regarding PREA. It was a common response from the inmates that they did not view a video or have an in-person education session regarding their PREA rights and reporting.

This PREA Auditor recommended that DCR-PR adjust the language in their "*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions*", to align with PREA standard 115.33. Additionally, this auditor recommended Arecibo-728 establish formal PREA inmate education with supporting documentation that inmate education occurred. This PREA auditor concluded that Arecibo-728 was not in compliance with PREA Standard 115.33. A Corrective Action was required.

During Arecibo-728's Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) "*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*" to bring Arecibo-728 into alignment with PREA Standard 115.33. Additionally, Arecibo-216 submitted a copy of their inmate training curriculum.

After this auditor's review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibo-728 is in compliance with PREA Standard 115.33.

Standard 115.34 Specialized training: Investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific

corrective actions taken by the facility.

This This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.34. DCR-PR Arecibo-728 Corrections Institution also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-C; Page 18) as evidence of compliance with PREA Standard 115.34 which states, “*All investigators will receive specialized training in the following topics: techniques of interviewing victims of sexual violence in the correctional environment, correct use of the Miranda and Garrity warnings, compilation of evidence in incidents of sexual violence, criteria and evidence necessary to support a case that requires administrative action. A record will be kept of the assistance to the trainings where the signatures of the officials will be evidenced. Physical and mental health professionals who work as regular employees, either full-time or part-time, will be trained in the following topics: how to detect and evaluate signs of sexual violence, how to preserve physical evidence, how to respond effectively and professionally to victims, and procedures to report incidents of sexual violence. The health provider hired by the Department of Correction and Rehabilitation, will be responsible for offering these training to their employees.*”

This PREA auditor also verified through onsite interviews with DCR-PR Arecibo-728 institution internal investigation team (who assists) that Office of Investigation of the Correctional System (OISC) carries out the investigations of the incidents of sexual violence for DCR-PR facilities. This auditor also reviewed the facility internal investigation team training records while on-site, and verified that they were current.

This PREA auditor concludes this particular standard is in compliance with the above-mentioned PREA Standard.

Standard 115.35 Specialized training: Medical and mental health care

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.35. DCR-PR Arecibo-728 Corrections Institution also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-C; Page 18) as evidence of compliance with PREA Standard 115.35 which states, “*Physical and mental health professionals who work as regular employees, either full-time or part-time, will be trained in the following topics: how to detect and evaluate signs of sexual violence, how to preserve physical evidence, how to respond effectively and professionally to victims, and procedures to report incidents of sexual violence. The health provider hired by the Department of Correction and Rehabilitation, will be responsible for offering these training to their employees.*” Furthermore, Policy (XIII; Section 5) states, “*The company contracted by the Agency to provide health services in the Correctional Institutions will provide medical services to both the victim and the aggressor. All necessary measures will be taken so that qualified personnel in sexual assault (SAFE-Sexual Assault Forensic Examiners / SANE-Sexual Assault Nurse Examiners) provide these services.*”

Additionally, this PREA auditor conducted onsite interviews with DCR-PR Arecibo-728 Corrections Institution contracted Emergency Medical Services Provider (Physicians Correctional Group housed at Arecibo #728) who verified documented medical staff trainings. Moreover, the Emergency Medical Services Supervisor and two random medical practitioners on her team, was able to clearly demonstrate the medical procedures taken when an allegation of sexual abuse occurs, up to sending an inmate to Centro Medical for forensics examinations by a SANE/SAFE practitioner.

This PREA auditor concludes this standard is compliant with the above-mentioned PREA Standard.

Standard 115.41 Screening for risk of victimization and abusiveness

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.41. DCR-PR Arecibo-728 Corrections Institution also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X1; Page 19) as evidence of compliance with PREA Standard 115.41 which states, “All members of the correctional population will be evaluated by a Correctional Social Worker to determine the risk of being a victim of sexual violence by other members of the correctional population, and / or to determine the risk of being a sexual aggressor of other members of the population. correctional. The process must be completed within a period of seventy-two (72) hours, from the entry into prison of the member of the correctional population. For this procedure, the instrument entitled: Form to Detect Risk of Sexual Violence will be used (Annex B). If necessary, the information obtained will be shared with the Medical Services Area. This ensures that members of the correctional population are properly evaluated and identified, for their safety and provide the necessary support services. The health provider will establish its own procedure protocol.

Prior placing members of the correctional population together in a detention cell, staff should consider whether, based on the information and findings, a member of the correctional population may be at high risk of being a victim of sexual violence and, if it were the case, adopt the necessary measures to mitigate any danger to the member of the correctional population. The PREA Compliance Manager must be informed in case of having to segregate it.

The interview for the custody classification will include, but not be limited to, the following factors: physical characteristics (conditions and appearance), age, previous assignment in specialized facilities, crime, criminal record and concerns expressed by the member of the correctional population. No member of the correctional population will be sanctioned for refusing to provide information or answer questions.”

Additionally, this PREA auditor verified through onsite interviews with five DCR-PR Arecibo-728 Corrections Institution Social Workers that DCR-PR Arecibo-728 do actively use an objective *Screening for Risk of Sexual Victimization and Abusiveness* tool (Annex B). This auditor also verified that the Annex B screening tool contained all the components as identified in PREA Standard 115.41. Additionally, while onsite, this PREA Auditor requested to review 6 random inmate social files and verified that each file had a risk assessment in it.

This PREA auditor concludes this standard is compliant with the above-mentioned PREA Standard.

Standard 115.42 Use of screening information

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.42. DCR-PR Arecibo-728

Corrections Institution also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X1-A; Pages 20-21) as evidence of compliance with PREA Standard 115.42 which states, “*After having evaluated all housing alternatives and demonstrating that there are no other means of protection for the member of the victim correctional population, segregation will be used as location. The member of the correctional population must have every possibility of access to programs and services for which he is eligible. The Correctional Social Workers must document every twenty-four (24) hours the reasons why the member of the correctional population will continue in the area of protective custody and certify the services provided. This process must not exceed thirty (30) days.*

If the member of the correctional population is part of the LGBTI community, it will be located and offered the programs according to the individual evaluation. These members of the correctional population will not be classified in the housing units, exclusively because of their gender identification, unless there is a unit of this type designed to protect this population.

The Correction Social Workers will evaluate each case, at least two (2) times a year to identify any threat to their safety that the member of the correctional population has or may have experienced. Members of the LGBTI correctional population will have the same opportunities and access to the programs as others. It will be provided with facilities that allow the inmate to provide the same level of security as the rest of the correctional population.”

This PREA Auditor also verified through onsite interviews with five DCR-PR Arcibo-728 Corrections Institution Social Workers. Each Social Worker shared that DCR-PR Arcibo-728 utilizes the screening tool assessment to determine placement, housing, programs, etc. Additionally, while onsite, this PREA Auditor requested to review 6 random inmate social files and verified that each file had a risk assessment in it and recommendations regarding housing location and program-type.

This PREA auditor concludes this standard is compliant with the above-mentioned PREA Standard.

Standard 115.43 Protective custody

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arcibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.43. DCR-PR Arcibo-728 Corrections Institution also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X1-A; Page 20-21) as evidence of compliance with PREA Standard 115.43 which states, “*After having evaluated all housing alternatives and demonstrating that there are no other means of protection for the member of the victim correctional population, segregation will be used as location. The member of the correctional population must have every possibility of access to programs and services for which he is eligible. The Correctional Social Workers must document every twenty-four (24) hours the reasons why the member of the correctional population will continue in the area of protective custody and certify the services provided. This process must not exceed thirty (30) days.*

If the member of the correctional population is part of the LGBTI community, it will be located and offered the programs according to the individual evaluation. These members of the correctional population will not be classified in the housing units, exclusively because of their gender identification, unless there is a unit of this type designed to protect this population.

The Correction Social Workers will evaluate each case, at least two (2) times a year to identify any threat to their safety that the member of the correctional population has or may have experienced. Members of the LGBTI correctional population will have the same opportunities and access to the programs as others. It will be provided with facilities that allow the inmate to provide the same level of security as the rest of the correctional population.”

This PREA Auditor also reviewed the electronic questionnaire submitted by Arcibo-728, who stated that segregation is not used at its institution. This auditor verified this documentation through onsite interviews with DCR-PR Arcibo-728 Correctional Officers and Supervisors. Each shared that DCR-PR Arcibo-728 limits the use of any segregation. Rather each explained that they find alternative

housing placement or request for facility relocation. This auditor also interviewed 19 inmate who also verified that they have not been placed in any segregation location/setting while at Arecibo-728.

This PREA auditor concludes this standard is compliant with the above-mentioned PREA Standard.

Standard 115.51 Inmate reporting

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.51. DCR-PR Arecibo-728 Corrections Facility also submitted the DCR-PR “*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X and XII; Pages 17, 18, 21, and 22)*” as evidence of compliance with PREA Standard 115.51. PREA Standard 115.51 states, “*The agency shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff...*” DCR-PR’s policy did not mention any of the above-mentioned PREA language in their policy. DCR-PR’s policy only aligned with a portion of the PREA Standard 115.51.

Additionally, while onsite, this PREA Auditor observed and verified through inmates, DCR Correctional staff, and through trial that inmates were unable to use the telephone on their housing units to report PREA-related incidents free of charge. Each inmate had to use their own personal phone code and be personally charged for the PREA-related call.

This PREA Auditor recommended that DCR-PR adjust their “*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions*” to align with PREA Standard 115.51, then establish their consistency of practice around such adjusted language within the standard. Additionally, this auditor recommended that DCR-PR identify a way for inmates to make free calls on the telephones within their housing units to report a PREA-related incident, or find another clearly defined avenue for inmates to privately to report a PREA incident to a public or private entity that is not a part of the agency (phone number is posted next to phone). This PREA auditor concluded that Arecibo-728 was not in compliance with PREA Standard 115.51. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*” to bring Arecibo-728 into alignment with PREA Standard 115.51. Additionally, in DCR-PR adjusted regulations there is documentation that inmate have multiple avenues to report a PREA incident. Arecibo-728 also submitted documentation verifying that PREA-related reporting on telephones on housing units are free calls.

After this auditor’s review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibi-728 is in compliance with PREA Standard 115.51.

Standard 115.52 Exhaustion of administrative remedies

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.52. DCR-PR Arecibo-728 Corrections Institution also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions and DCR-PR’s “Regulation to Manage the Request for Administrative Remedies Filed by Inmates” as evidence of compliance with PREA Standard 115.52.

While onsite this PREA auditor also interviewed the Correctional Security and Supervisory staff, PREA Compliance Manager, both Superintendents, Correctional Social Workers, and inmates. There was a consensus that “Administrative Remedy” procedures are followed when inmates file grievances for sexual abuse. Each understood DCR-PR’s administrative procedures to address inmate grievances regarding sexual abuse or sexual harassment. Additionally, each understood that there is no time limit on grievances regarding sexual abuse or sexual harassment. This PREA Auditor also observed an “Administrative Remedy” Box in the dining room, in which the Social Workers and Superintendents have sole access.

This PREA auditor concludes that this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.53 Inmate access to outside confidential support services

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.53 This auditor could not conclude that Arecibo-728 was compliant with this PREA Standard, due to no information submitted within the electronic folder.

This auditor did see a PREA-related pamphlet in which all inmates receive upon arrive to the institution. However, the pamphlet did not contain information about outside victim advocates or external emotional support. When inmates were interviewed onsite, there was inconsistency in inmates reporting being informed or received education regarding external access to victim’s advocates and external emotional support for victim.

This auditor recommended that Arecibo-728 establish or submit their policy as evidence of compliance with PREA Standard 115.53. Additionally, Arecibo-728 was recommended to develop procedures to properly educate inmates on their rights to access to external victim advocates for emotional support. This PREA auditor recommended that DCR-PR identify and establish a “Memorandum of Understanding” with a community-based victim’s advocate agency to partner with, to meet compliance with PREA Standard 115.53. This PREA auditor concluded Arecibo-728 was not in compliance with PREA Standard 115.53. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*” to bring Arecibo-728 into alignment with PREA Standard 115.53. Additionally, Arecibo-728 submitted a copy of their inmate training curriculum, which included information about inmate access to internal and external advocacy for emotional support. Finally, DCR-PR PREA Coordinator informed this auditor that DCR-PR is still attempting to identify and establish a Memorandum of Understanding” for external emotional support for inmate victims, however until, Arecibo institutions are utilizing their onsite social services providers to provide emotional support.

After this auditor’s review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibo-728 is in PREA Audit Report

compliance with PREA Standard 115.53.

Standard 115.54 Third-party reporting

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-216 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.54. This auditor could not conclude that Arecibo-728 was compliant with this PREA Standard, due to no information submitted within the electronic folder submitted. This auditor did see an “*End the Silence*” PREA-related pamphlet in which all inmates receives upon their arrival to the institution. Inside this pamphlet’s HOW TO REPORT section it stated, “*DCR offers multiple ways to report sexual abuse and sexual harassment:*

- *Telephone (787) 332-7732*
- *Email:prea@dcr.pr.gov*
- *Report to any staff, volunteer, contractor, or medical or mental health staff.*
- *Submit a grievance or sick call slip*
- *Tell a family member, friend, legal counsel, or anyone else outside the facility. They can report on your behalf by calling (787) 332-7732*
- *You can also submit a report on someone’s behalf, or someone at the facility can report for you using the ways listed here.”*

Also, during inmate interviews, all inmates knew that a third-party could report sexual abuse or sexual harassment on their behalf. However, Arecibo-728 did not submit any policy information related to “third-party reporting” to compare to review to verify alignment with PREA Standard 115.54. This auditor recommended that DCR-PR submit policy evidence to show compliance with PREA Standard 115.54. This PREA auditor concluded that Arecibo-728 is not in compliance with PREA Standard 115.54. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*” as evidence of alignment with PREA Standard 115.54. Additionally, Arecibo-728 submitted a copy of their inmate training curriculum, which included information about third-party reporting of PREA-related incident.

After this auditor’s review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibi-728 is in compliance with PREA Standard 115.54.

Standard 115.61 Staff and agency reporting duties

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These

recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.61. DCR-PR Arecibo-728 also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIII; Pages 22-23) as evidence of compliance with PREA Standard 115.61 which states, “Any official or person who comes in knowledge of any allegation or incident of sexual violence will become the Primary Response Person. Once it comes to knowledge and following the chain of command, the following necessary actions will be taken: Report Protocol and Intervention in Incident of Sexual Violence. (See Annex G)

1. *Protect the victim and preserve the evidence. Keep the area restricted and under continuous observation. The incident of sexual violence must be reported immediately and secure the crime scene until adequate measures can be taken to obtain any evidence. In addition, the victim will be asked if he retains any evidence of sexual assault (dirty bedding, clothing, etc.). All evidence will remain in its original state.*
2. *Notify the Commander Guard of the shift, following the chain of command (Superintendent, Commander, Lieutenant 1, Lieutenant 2 and Sergeant).*
3. *Complete the PREA Incident Initial Notification she. (See Annex C)*
4. *The victim will be separated from the identified aggressor.*
5. *The company contracted by the Agency to provide health services in the Correctional Institutions will provide medical services to both the victim and the aggressor. All necessary measures will be taken so that qualified personnel in sexual assault (SAFE - Sexual Assault Forensic Examiners / SANE - Sexual Assault Nurse Examiners) provide these services.*
6. *If the abuse occurred within a period of time (72 hours), which still allows the collection of physical evidence, ensure that the alleged victim and the aggressor, do not take any action that could destroy physical evidence, including: bathing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating*
7. *The supervisor will notify the incident within twenty-four (24) hours by telephone to the Puerto Rico Police Department.*
8. *The Commander of the Guard will immediately notify the incident to the Superintendent. When the allegation of incident is reported in a juvenile institution, the supervisor will give immediate knowledge to the Institutional Head. In both cases, the PREA Compliance Officer will be notified.*
 - a. *If the incident arises in a protective security institution, it will be transferred to another institution of protective security.*
 - b. *If the transfer cannot be made, the Correctional Social Worker technician must submit a daily follow-up report, documenting and justifying the reasons why it could not be relocated, and the and the services provided. This process must not exceed thirty (30) calendar days.”*

Additionally, this PREA auditor verified through interviews with correctional staff, medical, volunteers and other support staff that staff PREA reporting duties were aligned with PREA Standard 115.61. Inmate interviews also showed staff’s immediate response to PREA-related incident reporting. This auditor also reviewed DCR-PR’s Annex C and Annex G forms to determine compliance. Finally, DCR-PR also submitted a copy of their Power Point training slides to verify training material.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.62 Agency protection duties

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.62. DCR-PR Arecibo-728 also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section VIII; Page 13) as evidence of compliance with PREA Standard 115.62 which states, “The Agency will take the following actions, aimed at preventing any incident of sexual violence in correctional institutions:

1. *Once it becomes known that a member of the correctional population is at considerable risk, immediate physical, health and support measures will be established to protect the victim.*
2. *Use a human resource plan that provides the appropriate number of staff and supervision through video surveillance to protect members of the correctional population.*
3. *Keep members of the correctional population separated young adults and members of the adult correctional population. 4. Recognize vulnerable people, either because of their sexual gender/orientation, appearance or physical limitation or language. (Refer to Annex B, Form to Detect Risk of Sexual Violence).”*

Additionally, this PREA auditor verified through interviews with correctional staff, medical, volunteers and other support staff that staff PREA reporting duties were aligned with PREA Standard 115.62. Inmate interviews also showed staff’s immediate response to PREA-related incident reporting. This auditor also reviewed DCR-PR’s Annex C and Annex G forms to determine compliance. Finally, DCR-PR also submitted a copy of their Power Point training slides to verify training material.

This PREA auditor concludes this standard is compliant with the above-mentioned PREA Standard.

Standard 115.63 Reporting to other confinement facilities

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.63. DCR-PR Arecibo-728 Corrections Facility also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-Page 16-18) as evidence of compliance with PREA Standard 115.63. This policy did not contain language related to PREA Standard 115.63. Additionally, DCR-PR Arecibo-728 Corrections Facility did not submit documentation or physical evidence of reporting any PREA-related incidents to other confinement facilities. During interview, the Superintendent stated that they report incidents to other facilities, however documentation was unavailable to this auditor during the onsite audit.

This PREA auditor recommended that Arecibo-728 adjust their “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions, and align their practices to show compliance with PREA Standard 116.63. This PREA auditor recommended that staff training, and consistent practice follows this recommended policy adjustment. This PREA auditor concluded that Arecibo-728 was not in compliance with PREA Standard 115.63. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions” as evidence of alignment with PREA Standard 115.63. Additionally, Arecibo-728 submitted their staff training curriculum, which included procedures for reporting PREA information related to transferred inmates to other facilities.

After this auditor’s review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibi-728 is in compliance with PREA Standard 115.63.

Standard 115.64 Staff first responder duties

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.64. DCR-PR Arecibo-384 also submitted the DCR-PR "Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIII; Pages 22-23) as evidence of compliance with PREA Standard 115.64 which states, "Any official or person who comes in knowledge of any allegation or incident of sexual violence will become the Primary Response Person. Once it comes to knowledge and following the chain of command, the following necessary actions will be taken: Report Protocol and Intervention in Incident of Sexual Violence. (See Annex G)

1. *Protect the victim and preserve the evidence. Keep the area restricted and under continuous observation. The incident of sexual violence must be reported immediately and secure the crime scene until adequate measures can be taken to obtain any evidence. In addition, the victim will be asked if he retains any evidence of sexual assault (dirty bedding, clothing, etc.). All evidence will remain in its original state.*
2. *Notify the Commander Guard of the shift, following the chain of command (Superintendent, Commander, Lieutenant 1, Lieutenant 2 and Sergeant).*
3. *Complete the PREA Incident Initial Notification she. (See Annex C)*
4. *The victim will be separated from the identified aggressor.*
5. *The company contracted by the Agency to provide health services in the Correctional Institutions will provide medical services to both the victim and the aggressor. All necessary measures will be taken so that qualified personnel in sexual assault (SAFE - Sexual Assault Forensic Examiners / SANE - Sexual Assault Nurse Examiners) provide these services.*
6. *If the abuse occurred within a period of time (72 hours), which still allows the collection of physical evidence, ensure that the alleged victim and the aggressor, do not take any action that could destroy physical evidence, including: bathing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating*
7. *The supervisor will notify the incident within twenty-four (24) hours by telephone to the Puerto Rico Police Department.*
8. *The Commander of the Guard will immediately notify the incident to the Superintendent. When the allegation of incident is reported in a juvenile institution, the supervisor will give immediate knowledge to the Institutional Head. In both cases, the PREA Compliance Officer will be notified.*
 - a. *If the incident arises in a protective security institution, it will be transferred to another institution of protective security.*
 - b. *If the transfer cannot be made, the Correctional Social Worker technician must submit a daily follow-up report, documenting and justifying the reasons why it could not be relocated, and the and the services provided. This process must not exceed thirty (30) calendar days."*
 - c. *The incident of sexual violence will not be documented in the Institution's Book of News to protect the confidentiality of the victim.*
9. *All persons identified as involved in the alleged situation: victim (s), offender (s), witness (s), must complete the PREA Incident Statement form. (See Annex E)*
10. *Officials who must complete the PREA Incident Initial Report (Annex C), or the PREA Incident Statement (Annex E), will prepare and submit them before withdrawing from their workday.*
11. *If, for a just cause, the official who become in knowledge of the situation does not complete the sheet, PREA Initial Notice of Incident (Annex C), the Supervisor of the official must complete it. It will also write a communication explaining the reasons why the official did not complete the form.*

12. *The Superintendent will be responsible for completing the PREA Sexual Violence Incident Institutional Report. (See Annex D) This document will be completed in full and delivered to the PREA Compliance Officer, within a term not exceeding seventy-two (72) hours after having become aware of the incident.*
13. *In cases where the supervisor of the shift is involved in the alleged incident, the presence of the PREA Compliance Officer will be required to comply with the established procedures described above (Annex G). In this case, the supervisor has to inhibit the process.*
14. *In the event that the alleged allegation arises in a juvenile institution, the actions detailed above shall not conflict with the Referral Protocol of Alleged Maltreatment or Negligence and / or Institutional Negligence established in Chapter 13 of the Policies, Rules and Procedures Manual of the Youth Institutions.*

Additionally, this PREA auditor verified through interviews with correctional staff, medical, volunteers and other support staff that staff PREA reporting duties were aligned with PREA Standard 115.64. Inmate interviews also showed staff's immediate response to PREA-related incident reporting. This auditor also reviewed DCR-PR's Annex C and Annex G forms to determine compliance. Finally, DCR-PR also submitted a copy of their Power Point training slides to verify training material.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.65 Coordinated response

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.65. DCR-PR Arecibo-384 also submitted the DCR-PR "Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIII; Pages 22) as evidence of compliance with PREA Standard 115.65 which states, "Any official or person who comes in knowledge of any allegation or incident of sexual violence will become the Primary Response Person. Once it comes to knowledge and following the chain of command, the following necessary actions will be taken: "Report Protocol and Intervention in Incident of Sexual Violence" (See Annex G).

Additionally, this PREA auditor verified through interviews with the PREA Coordinator, PREA Compliance Manager, Superintendents, and Correctional that each level of supervision and security at the institution understands their role and the overall Coordinated Response to a PREA-Related incident. Staff PREA reporting duties and protocol understanding was aligned with PREA Standard 115.65. This auditor also reviewed and received a copy of DCR-PR's Annex G form to determine compliance. The Annex G form is DCR-PR's "Sexual Violence Coordinated Response Protocol (visual roadmap)" for all DCR-PR Institutions. Finally, DCR-PR also submitted a copy of their Power Point training slides to verify training material.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.66 Preservation of ability to protect inmates from contact with abusers

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.64. This PREA auditor interviewed with DCR-PR’s PREA Federal Contracts Manager, PREA Coordinator, PREA Compliance Manager, Superintendents, who all stated that their entering into “Collective Bargaining Agreements do not limit DCR-PR Institutions from “the ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted, as stated in PREA Standard 115.66. According to DCR-PR, all “Collective Bargaining Agreements” do not impede DCR-PR Institutions from complying with USDOJ PREA Standards. This auditor was able to review DCR-PR’s (2012-2015) “Collective Bargaining Agreements” submitted electronically, in combination with interview with key DCR-PR personnel to verify compliance.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.67 Agency protection against retaliation

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.67. DCR-PR Arecibo-216 Corrections Facility also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section X-Page 15) as evidence of compliance with PREA Standard 115.67. The DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions did not contain information for this auditor to conclude alignment with PREA Standard 115.67. Additionally, DCR-PR did submit their agency’s PREA Follow-Up Report Form (Annex F) as evidence of compliance. However, this auditor did not review onsite evidence that this form is used consistently as an institutional practice.

This PREA auditor recommended that Arecibo-728 adjust their DCR-PR’s “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions, to demonstrate compliance with PREA Standard 115.67. This PREA auditor also recommended that staff training, and consistent practice follows the policy adjustment. This PREA auditor concluded that Arecibo-728 is not in compliance PREA Standard 115.67. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions” as evidence of alignment with PREA Standard 115.67. Additionally, DCR-PR submitted their institution-wide staff training curriculum which included the agency’s protection against retaliation, as well as staff attendance documentation.

After this auditor’s review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibo-728 is in compliance with PREA Standard 115.67.

Standard 115.68 Post-allegation protective custody

- Exceeds Standard (substantially exceeds requirement of standard)

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.68. DCR-PR Arecibo-728 also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIII-8A) as evidence of compliance with PREA Standard 115.68 which states, *“a) If the incident arises in a protective security institution, it will be transferred to another institution of protective security.*

- b. If the transfer cannot be made, the Correctional Social Worker technician must submit a daily follow-up report, documenting and justifying the reasons why it could not be relocated, and the services provided. This process must not exceed thirty (30) calendar days.*

This PREA also auditor verified that DCR-PR’s “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIII-8A) which addresses “Post-Allegation Protective Custody” is aligned with their policy (Section X1-A; Page 20-21) which addresses “Protective Custody Protocols for Inmates at high risk for sexual victimization.” DCR-PR’s policy which aligns with PREA Standard 115.43 (Section X1-A; Page 20-21) states, *“After having evaluated all housing alternatives and demonstrating that there are no other means of protection for the member of the victim correctional population, segregation will be used as location. The member of the correctional population must have every possibility of access to programs and services for which he is eligible. The Correctional Social Workers must document every twenty-four (24) hours the reasons why the member of the correctional population will continue in the area of protective custody and certify the services provided. This process must not exceed thirty (30) days.*

- a. If the member of the correctional population is part of the LGBTI community, it will be located and offered the programs according to the individual evaluation. These members of the correctional population will not be classified in the housing units, exclusively because of their gender identification, unless there is a unit of this type designed to protect this population.*
- b. The Correction Social Workers will evaluate each case, at least two (2) times a year to identify any threat to their safety that the member of the correctional population has or may have experienced. Members of the LGBTI correctional population will have the same opportunities and access to the programs as others. It will be provided with facilities that allow the inmate to provide the same level of security as the rest of the correctional population.”*

This PREA Auditor also verified through onsite interviews with DCR-PR Arecibo-728 Correctional Officers, Supervisors, and inmate interviews. Each shared that DCR-PR Arecibo-728 Correctional Institution limits the use of any segregation. Rather each explained that they find alternative housing placement or request for facility relocation. This auditor also interviewed an inmates who stated that they have not been in segregation at Arecibo-728.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.71 Criminal and administrative agency investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.71. DCR-PR Arecibo-728 also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIV) as evidence of compliance with PREA Standard 115.71 which states, “All sexual violence complaints and allegations, including those referred by third parties and anonymous, will be subject to administrative investigation. The same will be carried out in an objective, exhaustive manner and within a term of forty-five (45) calendar days.

The Office of Investigation of the Correctional System (OISC), will carry out the investigations of the incidents of sexual violence that occurred in the correctional facilities. The investigation process that is detailed in this Regulation, will not be in conflict with the Guide of Norms and Procedure for the Investigations of the OISC, nor with the norm 13.1.2 of the Manual of Norms, Policies and Procedures of the Bureau of Youth Institutions.

1. *All investigative agents working on these investigations must have completed specialized training in investigations of incidents of sexual violence in confinement.*
2. *Files of completed investigations will be kept digitally in the database of the OISC, while the presumed victimizer member of the correctional population is under the custody of the Agency, and five (5) additional years, after compliance with his sentence. In the case of minors identified as aggressors, the digital file will remain in the OISC until the latter or they have reached the twenty-six (26) years of age. If the alleged victimizer is an employee of the Agency or its agencies, the digital file will remain in the database of the OISC while employed by the Agency, and five (5) additional years.*
3. *Secure the physical evidence, and that the electronic surveillance data have been delivered to the corresponding authorities that conduct the criminal investigations.*
4. *During the administrative investigation the criminal process will be consulted. It will be ensured that the administrative process does not interfere with criminal prosecution.*
5. *The credibility of the alleged victim, of the suspect or witness, will be assessed individually, and will not be determined by their position (official) or classification (member of the correctional population).*
6. *No member of the correctional population who alleges sexual violence shall undergo a polygraph examination or other device for the detection of lies as a condition to continue the investigation of the alleged incident.*
7. *As part of the administrative investigations, the possible commission of negligence or omission in the fulfillment of duty will be considered. This should be documented in the written reports and include a description of the physical, testimonial or circumstantial evidence, the reasoning behind the credibility assessments, fact determinations and conclusions of law. The investigative report should include, among its findings, if the collected evidence in the investigative process of a sexual violence was sustained, unsupported or unfounded.*
8. *The departure or leave from the employment or the Agency, will not be grounds to close or conclude the investigation.*

After the investigation process, the member of the correctional population must be notified about the determination of his allegation. If it was sustained, not sustained or unfounded. In those cases, in which the determination of the complaint has been sustained or not sustained, and it identifies an official as an aggressor, the Agency must inform the victim the following:

1. *If the official was relocated from a position to another that does not have contact with the member of the injured correctional population.*
2. *If the Agency became aware that the official has been charged with a criminal charge related to the situation under investigation.*
3. *If the Agency is aware that the official has been convicted of related charges.*

When the complaint of the member of the correctional population identified as an aggressor to another member of the correctional population, the Agency will inform the alleged victim when:

1. *To become in knowledge of the filing of criminal charges against the alleged aggressor.*
2. *Become aware of the conviction of the alleged aggressor.*

All notifications described above must be documented. On the other hand, the obligation of the Agency ends when the member of the victim correctional population fulfills his sentence or dispositive measure or is released by order of the court.”

This PREA also auditor verified that DCR-PR’s “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIV) is aligned with their policy (Section X-C; Page 18) which is compliant with PREA Standard 115.34 (“Specialized Training”). This PREA auditor also verified through onsite interviews with DCR-PR Arecibo-728 internal investigation team (who are the institution’s liaison for OISC) that Office of Investigation of the Correctional System (OISC) carries out the investigations of the incidents of sexual violence in all DCR-PR Correctional facilities. This auditor also verified the facility internal investigation training records while on-site.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.72 Evidentiary standard for administrative investigations

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.72. DCR-PR Arecibo-728 Corrections Facility did not submit any electronic evidence for this standard. However, this PREA Auditor reviewed DCR-PR’s “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIV-Investigations), which did not have policy language related to PREA Standard 115.72. Though interviews with Arecibo-728’s Administrative PREA Investigators (OISC) verified that “Preponderance of Evidence” is their standard in determining substantiation in investigations, this auditor was unable to find aligning language written in DCR-PR’s institution-wide policy.

This PREA auditor recommended that DCR-PR adjust their “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions, to align with PREA Standard 115.72. This PREA auditor concluded that Arecibo-728 was not in compliance with PREA Standard 115.72. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 submitted their adjusted Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions” as evidence of alignment with PREA Standard 115.72.

After this auditor’s review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibo-728 is in compliance with PREA Standard 115.72.

Standard 115.73 Reporting to inmates

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.73. DCR-PR Arecibo-728 also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XIV-8) as evidence of compliance with PREA Standard 115.73 which states, “After the investigation process, the member of the correctional population must be notified about the determination of his allegation. If it was sustained, not sustained or unfounded. In those cases, in which the determination of the complaint has been sustained or not sustained, and it identifies an official as an aggressor, the Agency must inform the victim the following:

4. If the official was relocated from a position to another that does not have contact with the member of the injured correctional population.

5. *If the Agency became aware that the official has been charged with a criminal charge related to the situation under investigation.*
6. *If the Agency is aware that the official has been convicted of related charges.*

When the complaint of the member of the correctional population identified as an aggressor to another member of the correctional population, the Agency will inform the alleged victim when:

3. *To become in knowledge of the filing of criminal charges against the alleged aggressor.*
4. *Become aware of the conviction of the alleged aggressor.*

All notifications described above must be documented. On the other hand, the obligation of the Agency ends when the member of the victim correctional population fulfills his sentence or dispositive measure or is released by order of the court.”

This PREA auditor also verified through onsite interviews with DCR-PR Arecibo-728 facility internal investigation team (who are the institution’s liaison for OISC) that at the conclusion of the Office of Investigation of the Correctional System (OISC) investigations of the incidents of sexual violence in all DCR-PR Correctional facilities, alleged victims are notified of their case and it is documented. Further facility PREA Compliance Manager shared with this auditor that, if substantiated, the victim receives further notification of the status of the perpetrator and it is documented. While on site, this auditor verified the two post-investigation documentation to verify compliance. Finally, this auditor viewed the DCR-PR “Notification Form” used to inform victim of the conclusion/outcome of the investigation.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.76 Disciplinary sanctions for staff

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.76. DCR-PR Arecibo-216 Corrections Institution Facility also submitted the DCR-PR “*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions* (Section XV-Discipline) as evidence of compliance with PREA Standard 115.76. In reviewing this excerpt from DCR-PR’s “*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions*, this auditor concluded that though some of its language aligned with PREA Standard 115.76, DCR-PR’s policy did not contain all the necessary language to confirm compliance with PREA standard 115.76.

Additionally, while onsite, this PREA Auditor interviewed Arecibo-728’s Superintendents to gain insight into disciplinary sanctions for staff PREA violations. Both Superintendents informed this auditor that disciplinary actions for staff PREA violations range from reassignment, suspension, termination, up to legal action taken. This auditor was also referred to DCR-PR’s “*Manual for the Application of Corrective or Disciplinary Measures to Employees of the Department of Correction and Rehabilitation sections 13.2.1 and 13.2.2 of the Policy Manual Standards and Procedures of the Bureau of Youth Institutions*” (as told to refer to in DCR-PR’s policy section XV-Discipline). This manual gives a roadmap of corrective action steps for employee violations and disciplinary actions within *DCR-PR and Bureau of Youth Institutions*.

This PREA Auditor recommended that DCR-PR adjust their policy to align with PREA Standard 115.76. This PREA auditor concluded that Arecibo-728 was not in compliance with the PREA Standard 115.76. A Corrective Action was required.

During Arecibo-728’s Corrective Action period, Arecibo-728 adjusted their Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) “*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*” to bring Arecibo-728 into alignment with PREA Standard 115.76.

After this auditor’s review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibo-728 is in PREA Audit Report

compliance with PREA Standard 115.76.

Standard 115.77 Corrective action for contractors and volunteers

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.77. DCR-PR Arecibo-728 Corrections Facility also submitted the DCR-PR *“Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XV-Discipline)”* as evidence of compliance with PREA Standard 115.77 which states, *“Any contractor or volunteer who has been found for engaging in any sexual act, the Agency will take the required measures to ensure that they do not have direct contact with members of the correctional population. In addition, termination of the contractual or volunteer relationship will be considered, and criminal charges will be applied.”* In reviewing this excerpt from DCR-PR’s *“Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions,”* this auditor concludes that the language aligns with PREA Standard 115.77.

Additionally, while onsite, this PREA Auditor interviewed Arecibo-728’s Superintendents to gain insight into disciplinary sanctions for staff PREA violations. Both Superintendents informed this auditor that disciplinary action for PREA violations are subject to removal from volunteer or contractual assignments up to legal action taken. This auditor was also referred to DCR-PR’s *“Manual for the Application of Corrective or Disciplinary Measures to Employees of the Department of Correction and Rehabilitation sections 13.2.1 and 13.2.2 of the Policy Manual Standards and Procedures of the Bureau of Youth Institutions”* (as told to refer to in DCR-PR’s policy section XV-Discipline). This manual gives a roadmap of corrective action steps for employee, contractor, and volunteer violations, as well as disciplinary actions within *DCR-PR and Bureau of Youth Institutions.*

This PREA auditor concludes that Arecibo-728 is in compliance with PREA Standard 115.77.

Standard 115.78 Disciplinary sanctions for inmates

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.78. DCR-PR Arecibo-728 Corrections Facility only submitted their DCR-PR *“Disciplinary Policy for the Correctional Population”* (Page 35) as evidence of compliance with PREA Standard 115.78. Additionally, this PREA auditor reviewed DCR-PR’s *“Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions”* to verify any policy language related to PREA Standard 115.78. This auditor did not find language in both policies which aligned with PREA Standard 115.78.

This PREA auditor recommended that DCR-PR adjust their policy language to align with PREA Standard 115.78. This auditor also recommended that Arecibo-728 train all institution staff in the adjusted policy, then monitor practice over a period to verify consistency. This PREA auditor concluded this standard was not in compliance with PREA Standard 115.78. A Corrective Action was required.

During Arecibo-728's Corrective Action period, Arecibo-728 adjusted their Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) "*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*" to bring Arecibo-728 into alignment with PREA Standard 115.78. DCR-PR PREA Coordinator submitted training documentation as evidence of training

After this auditor's review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibi-728 is in compliance with PREA Standard 115.78.

Standard 115.81 Medical and mental health screenings; history of sexual abuse

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

The PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.81. This auditor reviewed DCR-PR "*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions*" (Section X1; Page 19) as evidence of compliance with PREA Standard 115.81. Though some of its language aligned with PREA Standard 115.81, DCR-PR's policy did not contain all the necessary language to confirm compliance with PREA standard 115.81.

This PREA auditor recommended that DCR-PR adjust their "*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions*" to include timelines of assessment, follow-up with medical and/or mental health practitioners, and informed consents. These adjustment to verbiage would align Arecibo-728 with PREA Standard 115.81. Additionally, Arecibo-728 should facilitate a train all medical and mental health staff on adjustments to the policy, as well as monitor consistency of practice over a period. This PREA auditor concluded this standard was not in compliance with PREA Standard 115.81. A Corrective Action was required.

During Arecibo-728's Corrective Action period, Arecibo-216 adjusted their Department of Corrections and Rehabilitation-Puerto Rico (DCR-PR) "*Regulations to Prevent, Detect, Report, and Respond to Sexual Violence in the Correctional Institutions*" to bring Arecibo-728 into alignment with PREA Standards 115.41 and 115.81. Additionally, DCR-PR PREA Coordinator submitted training verification as evidence of medical training on PREA Standard 115.81 policy adjustments.

After this auditor's review of policy adjustments, resubmitted documents, and review of consistency in practice, DCR-PR Arecibi-728 is in compliance with PREA Standard 115.81.

Standard 115.82 Access to emergency medical and mental health services

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion

must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.82. DCR-PR Arecibo-728 also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XVI-Medical Treatment and Mental Health) as evidence of compliance with PREA Standard 115.82 which states, “Victims and sexual violence offenders will receive immediate access, without restrictions, to emergency medical and psychological treatment. In addition, they will receive crisis intervention services. When an incident of sexual violence occurs, and there are no qualified medical personnel or mental health professionals, the Agency, through the security personnel, will endeavor to refer and transport the member of the correctional population to any hospital medical facility that provides the free services. The services will include: follow-up plan, treatment plan; and when necessary, referred for continuous care. If you are transferred or located in another facility, as well as if you are released, this service must be of equal quality to those of the rest of the community.

In addition, they will receive crisis intervention services. When an incident of sexual violence occurs, and there are no qualified medical personnel or mental health professionals, the Agency, through the security personnel, will endeavor to refer and transport the member of the correctional population to any hospital medical facility that provides the free services. The services will include: follow-up plan, treatment plan; and when necessary, referred for continuous care. If you are transferred or located in another facility, as well as if you are released, this service must be of equal quality to those of the rest of the community.

If the sexual violence is against a female and leads to penetration, the Agency must perform pregnancy tests. If the victim becomes pregnant, the Agency will provide timely and complete information about access to all legal medical services related to pregnancy. Any member of the correctional population who is a victim of sexual violence will be offered screening tests for sexually transmitted diseases. The medical care and mental health services must be offered by Correctional Health Services Corp., a company hired by the Agency for such purposes. The services will not be conditioned to the cooperation of the victim with any investigation of the incident

All correctional institutions will conduct a mental health assessment to all members of the aggressor correctional population, within sixty (60) days of becoming aware of such history of sexual violence, and offer treatment when deemed appropriate and recommended by a mental health professional

In those cases, reported in juvenile institutions, every offender involved in any incident of sexual violence will receive immediate medical services. The above process will work as long as it does not conflict with the protocol established in Rule 12.1.37 Sexual Assault of the Policy, Rules and Procedures Manual of the Youth Institutions Bureau”

This PREA auditor also verified through onsite interviews with DCR-PR’s contracted “Physician Correctional Group” Psychologist and Emergency Room Supervisor (located at Arecibo-728). Both verified that all alleged inmate victims of sexual abuse receive immediate/unimpeded access to medical treatment, psychological treatment, and contraception education at no cost to the inmate. This auditor also observed the “Physician Correctional Group’s” operations and random patient files (barring confidentiality regulations). Moreover, all inmates interviewed by this auditor verified that medical care/services at DCR-PR Arecibo facilities are highly responsive.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

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

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Institution pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.83. DCR-PR Arecibo-728 also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XVI-Medical Treatment and Mental Health) as evidence of compliance with PREA Standard 115.83 which states, “Victims and sexual violence
PREA Audit Report

offenders will receive immediate access, without restrictions, to emergency medical and psychological treatment. In addition, they will receive crisis intervention services. When an incident of sexual violence occurs, and there are no qualified medical personnel or mental health professionals, the Agency, through the security personnel, will endeavor to refer and transport the member of the correctional population to any hospital medical facility that provides the free services. The services will include: follow-up plan, treatment plan; and when necessary, referred for continuous care. If you are transferred or located in another facility, as well as if you are released, this service must be of equal quality to those of the rest of the community.

In addition, they will receive crisis intervention services. When an incident of sexual violence occurs, and there are no qualified medical personnel or mental health professionals, the Agency, through the security personnel, will endeavor to refer and transport the member of the correctional population to any hospital medical facility that provides the free services. The services will include: follow-up plan, treatment plan; and when necessary, referred for continuous care. If you are transferred or located in another facility, as well as if you are released, this service must be of equal quality to those of the rest of the community.

If the sexual violence is against a female and leads to penetration, the Agency must perform pregnancy tests. If the victim becomes pregnant, the Agency will provide timely and complete information about access to all legal medical services related to pregnancy. Any member of the correctional population who is a victim of sexual violence will be offered screening tests for sexually transmitted diseases. The medical care and mental health services must be offered by Correctional Health Services Corp., a company hired by the Agency for such purposes. The services will not be conditioned to the cooperation of the victim with any investigation of the incident

All correctional institutions will conduct a mental health assessment to all members of the aggressor correctional population, within sixty (60) days of becoming aware of such history of sexual violence, and offer treatment when deemed appropriate and recommended by a mental health professional

In those cases, reported in juvenile institutions, every offender involved in any incident of sexual violence will receive immediate medical services. The above process will work as long as it does not conflict with the protocol established in Rule 12.1.37 Sexual Assault of the Policy, Rules and Procedures Manual of the Youth Institutions Bureau”

This PREA auditor also verified through onsite interviews with DCR-PR’s contracted “Physician Correctional Group” Psychologist and Emergency Room Supervisor (located at Arecibo-728). Both verified that all alleged inmate victims of sexual abuse receive immediate/unimpeded access to medical treatment, psychological treatment, and contraception education at no cost to the inmate. This auditor also observed the “Physician Correctional Group’s” operations and random patient files (barring confidentiality regulations). Moreover, all inmates interviewed by this auditor verified that medical care/services at DCR-PR Arecibo facilities were highly responsive.

This PREA auditor concludes this standard is in compliance with the above-mentioned PREA Standard.

Standard 115.86 Sexual abuse incident reviews

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.86. DCR-PR Arecibo-728 Corrections Facility also submitted the DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XVII-A-Review Committee) as evidence of compliance with PREA Standard 115.86 which states, “This Committee will be composed of officials from the area of Security, Programs and Services, Office of Legal Affairs, Office of Correctional System Investigation (OISC), Bureau of Youth Institutions, and medical and mental health professionals. These officials will be people with authority to make decisions. Once the OISC concludes an investigation of sexual violence, a review of this incident will be conducted. Only the allegations that were classified as sustained and not sustained will be reviewed. Revisions must be made within thirty (30) days after the investigation is completed. The PREA Incident Review Committee will have the following functions:

1. Consider whether the accusation or investigation indicates the need to change the policy or practice to prevent, detect, inform or respond better to incidents of sexual violence

2. *Identify if the incident or allegation was motivated by race, ethnicity, gender identity, LGBTIN status, or the perception of status, gang affiliation or if, on the contrary, it was caused by other dynamics of groups belonging to the correctional population.*
3. *Examine the area in which the incident allegedly occurred to determine if the physical barriers in the area allowed the incident to happen.*
4. *To observe if the number of officials assigned in that area are enough during the different shifts.*
5. *Evaluate if the video surveillance system, provided evidence in the resolution of the alleged facts and contemplate specific recommendations aimed at the best use of this technology for the supervision of members of the correctional population*
6. *Prepare a report with the result of the revision detailing the corrective actions to follow.*
7. *Direct the report to the Superintendent of the Institution or Institutional Head where the act of sexual violence occurred. The Superintendent or Institutional Head who receives the report will be responsible for applying the corresponding corrective actions.”*

DCR-PR’s “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions,” language is aligned with PREA Standard 115.86. This PREA auditor also verified through onsite interviews with Arecibo-728’s Superintendents, PREA Coordinator, PREA Compliance Manager, and Supervisory Security staff that Arecibo-728 Institution has “Incident Review” team meetings established, where PREA is actively on the agenda and PREA-related prevention/interventions are discussed and documented. This auditor reviewed meeting agendas, data collection reports, as well as institution-specific incident tracking documentation to confirm consistent incident review meetings are occurring.

This PREA auditor concludes Arecibo-728 is in compliance with PREA Standard 115.86.

Standard 115.87 Data collection

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.87. DCR-PR Arecibo-728 Corrections Facility also submitted their DCR-PR “Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions (Section XVII-Information Gathering) as evidence of compliance with PREA Standard 115.87. This auditor verified that the language in DCR-PR’s policy aligns with PREA Standard 115.87.

This PREA auditor was able to verify through onsite interviews with DCR-PR’s Director of Federal Programs, Arecibo-728’s Superintendents, DCR-PR’s PREA Coordinator and Arecibo-728’s PREA Compliance Manager that DCR-PR make public annual reports (including data) of incidents of sexual violence within its institutions. Each interviewee also stated that the data collected is used at the time of collection to guide decisions to prevent/decrease PREA-related incidents in respective DCR-PR institutions. DCR-PR did submit their 2017 and 2018 Annual PREA-Program report, as well as monthly institution data reporting of PREA incidents (by institution, incident-type, and by gender) for 2016 through 2018.

This PREA auditor concludes that Arecibo-728 is in compliance with PREA Standard 115.87.

Standard 115.88 Data review for corrective action

- Exceeds Standard (substantially exceeds requirement of standard)

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.88. DCR-PR Arecibo-728 Corrections Facility also submitted their DCR-PR “*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions* (Section XVII-Information Gathering) as evidence of compliance with PREA Standard 115.88. This auditor verified that the language in DCR-PR’s policy aligns with PREA Standard 115.88.

This PREA auditor was able to verify through onsite interviews with DCR-PR’s Director of Federal Programs, Arecibo-728’s Superintendents, DCR-PR’s PREA Coordinator and Arecibo-728’s PREA Compliance Manager that DCR-PR make public annual reports (including data) of incidents of sexual violence within its institutions. Each interviewee also stated that the data collected is used at the time of collection to guide decisions to prevent/decrease PREA-related incidents in respective DCR-PR institutions. DCR-PR did submit their 2017 and 2018 Annual PREA-Program report, as well as monthly institution data reporting of PREA incidents (by institution, incident-type, and by gender) for 2016 through 2018.

This PREA auditor concludes that Arecibo-728 is in compliance with PREA Standard 115.88.

Standard 115.89 Data storage, publication, and destruction

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

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

This PREA Auditor reviewed DCR-PR Arecibo-728 Corrections Facility pre-audit documents submitted via electronic source, conducted on-site interviews, as well as on-site observations to determine compliance for PREA Standard 115.89. DCR-PR Arecibo-728 Corrections Facility also submitted their DCR-PR “*Policy to Prevent, Detect, Report, and Respond to Sexual Violence in Correctional Institutions* (Section XVII-Information Gathering) as evidence of compliance with PREA Standard 115.89. This auditor verified that the language in DCR-PR’s policy aligns with PREA Standard 115.89.

This PREA auditor was able to verify through onsite interviews with DCR-PR’s Director of Federal Programs, Arecibo-728’s DCR-PR’s PREA Coordinator and Arecibo-728’s Superintendent, and Arecibo-728’s PREA Compliance Manager that DCR-PR make public annual reports (including data) of incidents of sexual violence within its institutions. Each interviewee also stated that the data collected is used at the time of collection to guide decisions to prevent/decrease PREA-related incidents in respective DCR-PR institutions. Additionally, this auditor reviewed DCR-PR collected data from 2008, which served as evidence of data storage for a minimum of 10 years. DCR-PR did submit their 2017 and 2018 Annual PREA-Program report, as well as monthly institution data reporting of PREA incidents (by institution, incident-type, and by gender) for 2016 through 2018.

This PREA auditor concludes that Arecibo-728 is in compliance with PREA Standard 115.89.

AUDITOR CERTIFICATION

I certify that:

- X The contents of this report are accurate to the best of my knowledge.
- X No conflict of interest exists with respect to my ability to conduct an audit of the agency under review, and
- X I have not included in the final report any personally identifiable information (PII) about any inmate or staff member, except where the names of administrative personnel are specifically requested in the report template.

DeShane Reed, USDOJ Certified PREA Auditor

June 23, 2020

Auditor Signature

Date