

# PREA AUDIT: AUDITOR'S SUMMARY REPORT

## ADULT PRISONS & JAILS



<b>Name of facility:</b>		New Mexico Women's Correctional Facility	
<b>Physical address:</b>		1700 E. Old Hwy 66 Grants, NM 87020	
<b>Date report submitted:</b>		March 25, 2015	
<b>Auditor Information</b>		Rodney P. Bivens	
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<b>Telephone number:</b>		865-659-2424	
<b>Date of facility visit:</b>		February 23 – 25, 2015	
<b>Facility Information</b>			
<b>Facility mailing address: (if different from above)</b>		P.O. Box 800 Grants, NM 87020	
<b>Telephone number:</b>		(505) 287-2941	
<b>The facility is:</b>	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input type="checkbox"/> Federal
	<input checked="" type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
<b>Facility Type:</b>	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
<b>Name of PREA Compliance Manager:</b>		Ralph Lucero	<b>Title:</b> Chief of Security
<b>Email address:</b>		ralph.lucero@cca.com	<b>Telephone number:</b> 505-449-7394
<b>Agency Information</b>			
<b>Name of agency:</b>		Corrections Corporation of America	
<b>Governing authority or parent agency: (if applicable)</b>		N/A	
<b>Physical address:</b>		10 Burton Hills Boulevard, Nashville, TN 37215	
<b>Mailing address: (if different from above)</b>		N/A	
<b>Telephone number:</b>		615-263-3000	
<b>Agency Chief Executive Officer</b>			
<b>Name:</b> Damon Hininger		<b>Title:</b>	President and Chief Executive Officer
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<b>Agency-Wide PREA Coordinator</b>			
<b>Name:</b> Lisa Hollingsworth		<b>Title:</b>	Senior Director - PREA Programs and Compliance
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# AUDIT FINDINGS

## NARRATIVE:

The onsite PREA audit of the Corrections Corporation of America - New Mexico Women's Correctional Facility in Grants, New Mexico was conducted February 23 – 25, 2015 by Department of Justice Certified PREA Auditor Rodney P. Bivens. Prior to this audit the facility provided the auditor policies, procedures and facility documentation related to each standard for review. Ongoing communication was held with the facility PREA Manager and the PREA Coordinator in preparation for the on-site visit. The auditor was supplied with a list of inmates sorted by housing units, lists of inmates with special needs and special designations as well as a list of facility staff. The auditor selected at random, inmates and staff to be interviewed during the on-site visit from these lists.

The on-site audit began with an entrance meeting being conducted on Monday, February 23, 2015 at 8:20 a.m. in the visitation room. The following staff attended the entrance meeting:

Arlene Hickson, Warden  
James Lopez, Assistant Warden  
Ralph Lucero, Chief of Security  
Rhonda Ayers, Chief of Unit Management  
Angel Solomon, Quality Assurance Manager  
Philestina Yazzie, Intake Officer  
Patrick Serna, Book Keeper  
Patti Lowther, Business Manager  
Nyron Martinez, Human Resources Manager  
Helen Diaz, Fire/Safety Manager  
Alina DeBeche, Instructor Supervisor  
Jerry Smith, Contract Monitor  
William Rose, Maintenance Supervisor  
Michael Cavin, Admin Captain  
Shelia Raines, Acting Unit Manager  
Charles Cross, RDAP Counselor  
Cynthia Tena, Administrative Supervisor  
Shira Skybinsky, Mental Health Director  
Lisa Hollingsworth, Senior Director (PREA Coordinator)

Following the entrance meeting the entire facility was toured from 8:40 a.m. to 12:20 p.m. During the tour the auditor reviewed camera placement, blind spots, staff placement and documentation to assist in determining standard compliance. The following staff accompanied the auditor on the facility tour:

Arlene Hickson, Warden  
James Lopez, Assistant Warden  
Ralph Lucero, Chief of Security  
Rhonda Ayers, Chief of Unit Management

Angel Solomon, Quality Assurance Manager  
 Jerry Smith, Contract Monitor  
 Lisa Hollingsworth, Senior Director (PREA Coordinator)

All housing units, day rooms, inmate program areas, work areas and all other inmate accessible areas were toured. While touring several inmates and staff were questioned about their knowledge of PREA standards, procedures for reporting, services available and their responsibilities. All staff and inmates informally interviewed during the tour acknowledged receiving training and procedures for reporting sexual abuse, sexual harassment and/or retaliation for reporting. A total of 40 staff members were interviewed during the course of the audit. This number includes one volunteer and two contract employees. A random selection of 13 correctional officers from all shifts as well as 2 intermediate and higher level supervisors were interviewed and affirmed compliance with the applicable standards. There is no SAFE or SANE staff at the facility; they are made available at Cibola General Hospital, Grants, New Mexico. Staff interviewed were well versed in their responsibilities in reporting sexual abuse, sexual harassment, staff negligence and retaliation for reporting. When questioned about evidence preservation, all staff responses reflected knowledge of agency policies.

A total of 36 inmates were interviewed during the on-site visit. These inmates consisted of: 25 inmates selected at random, 11 informally selected during the facility tour. Specialized inmate interviews consisted of: 1 inmate that had filed a PREA complaint, 1 hearing impaired inmate, and 1 inmate that was vision impaired. There were no limited English proficient inmates being housed at this facility during the audit. All of the Inmates interviewed acknowledged receiving PREA training and written materials (posters, pamphlets, and inmates handbooks) outlining the agencies zero tolerance policies towards sexual abuse, sexual harassment and retaliation for reporting, as well as the procedures for reporting. The disabled inmates interviewed confirmed receiving the PREA training and written materials in languages they could understand as well. The inmate interviewed that had filed the PREA complaint felt the facility responded appropriately to her complaint and took all PREA complaints very serious.

In the 12 months preceding the audit, Corrections Corporation of America - New Mexico Women's Correctional Facility had received and investigated a total of eighteen PREA complaints broken down as follows:

<b><u>Number Received</u></b>	<b><u>Description of Complaint</u></b>	<b><u>Offender</u></b>	<b><u>Investigative Results</u></b>
3	Sexual Assaults	Staff	All Unsubstantiated
2	Sexual Assaults	Contractor	Both Unsubstantiated
2	Sexual Assaults	Inmate	One Unfounded and One Unsubstantiated
4	Sexual Assaults (while asleep)	Unknown	All Unfounded
4	Sexual Misconducts	Inmate	Two Unfounded and Two Substantiated
1	Sexual Misconduct	Staff	Unsubstantiated
2	Sexual Misconducts (while asleep)	Unknown	Unfounded

All investigative files were reviewed during the onsite audit and appeared to thoroughly document the investigation and follow proper procedures.

At the conclusion of the on-site visit an exit meeting was held to discuss the audit findings. The following people were in attendance:

Arlene Hickson, Warden  
James Lopez, Assistant Warden  
Ralph Lucero, Chief of Security  
Rhonda Ayers, Chief of Unit Management  
Angel Solomon, Quality Assurance Manager  
Philestina Yazzie, Intake Officer  
Patrick Serna, Book Keeper  
Patti Lowther, Business Manager  
Nyron Martinez, Human Resources Manager  
Helen Diaz, Fire/Safety Manager  
Alina DeBeche, Instructor Supervisor  
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Charles Cross, RDAP Counselor  
Cynthia Tena, Administrative Supervisor  
Shira Skybinskyy, Mental Health Director  
Lisa Hollingsworth, Senior Director (PREA Coordinator)

During the exit the auditor explained the process that would follow the on-site visit to include corrective measures. The auditor also explained that all areas found to not meet the standards during the on-site visit must be corrected and he would be working closely with the PREA team to accomplish compliance. Finally the auditor acknowledged the willingness of all staff involved to accomplish PREA compliance and advised the PREA team of their requirements to post the final report on the facility website once compliance with all standards was achieved.

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

New Mexico Women's Correctional Facility, owned and operated by Corrections Corporation of America, is located at 1700 E. Old Hwy 66, Grants, New Mexico. This current rated capacity is 792 beds all utilized to house adult female's by contract with the New Mexico Corrections Department. In accordance with the contract the Corrections Corporation of Americas - New Mexico Women's Correctional Facility was to obtain American Correctional Association accreditation within 24 months of accepting the first inmate. Corrections Corporation of America - New Mexico Women's Correctional Facility was initially audited in March of 1991, and resulted in a finding of 100% compliance with all the standards for an Adult Correctional Institution. Corrections Corporation of America - New Mexico Women's Correctional Facility was the first correctional facility in New Mexico to achieve this accreditation. The New Mexico Women's Correctional Facility has maintained this accreditation every three years since the initial accreditation.

On June 15, 1989, Corrections Corporation of America - New Mexico Women's Correctional Facility opened its doors to 149 female inmates from the New Mexico Corrections Department's Western New Mexico Correctional Facility, also in Grants. The designed capacity was 204 beds. In 1994, the population had increased to over 250. To alleviate overcrowding, Corrections Corporation of America submitted a proposal and received approval to construct two additional minimum security housing units, a medium security unit, and a therapeutic unit for the treatment of drug and alcohol abuse offenders. Construction began in May 1995 and was completed in December 1995 bringing the capacity to 322 beds. In October of 1999 a second expansion began and was completed in April 2000. With this expansion, approximately 57,303 square feet was added to the existing 124,997 square feet bringing the total square footage to 182,300. This expansion added a new Corrections Industries building, a new medical, dental, pharmaceutical, and medical administration area; along with adding dormitory style housing units to increase the rated bed capacity to the 792 which exist today.

The original construction of the facility was completed in 1994, as a County jail. The facility sits on more than twenty-eight acres, while its structure contains in excess of 212,000 square feet of living and working floor space. In the following years, the institution was transformed from a juvenile facility to a state prison for Idaho inmates. In October, 2000, the necessary renovations were completed in preparation for the Federal Contract, and we received the formal notice to proceed on October 19, 2000, with the first group of inmates arriving the following day. The facility carries a staff compliment of 300 employees, to include security, non-security and subcontracted personnel. The New Mexico Women's Correctional Facility contains seven operational housing units.

The Central Control office controls the vehicular sally port gates, front entrance gates, perimeter lighting, fire alarm system, key lock boxes and hand-held radios. There is a telephone with outside-facility and long distance capability. A complete set of emergency keys is maintained in two separate locations within the institution to ensure access at all times.

The Corrections Corporation of America - New Mexico Women's Correctional Facility's stated mission is: "to provide for the public safety by operating a safe, secure, constitutionally sound, and accredited correctional facility for adult female offenders committed to the New Mexico Corrections Department". Their values are "having PRIDE in all we do". It was evident the staff at the Corrections Corporation of America - New Mexico Women's Correctional Facility were committed to excellence in corrections, by providing a dedicated team of professionals whose focus is on the enhancement of the quality of life through self-improvement opportunities for the inmates entrusted to their care.

#### **SUMMARY OF AUDIT FINDINGS:**

Number of standards exceeded:	5
Number of standards met:	35
Number of standards not met:	0
Non-applicable:	3

### **§115.11 - Zero tolerance of sexual abuse and sexual harassment**

- 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)

115.11 (a) The agency has a written policy and procedure mandating zero tolerance for all forms of sexual abuse and sexual harassment. This policy outlines the agency's approach to preventing, detecting and responding to such conduct. The procedures for all staff was clearly outlined in the Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 provided. Therefore, the facility has demonstrated compliance with this part of the standard.

115.11 (B) and (C) On page 2 of policy 14-2 the responsibilities of the PREA Coordinator and PREA Manager can be found. In interview with the PREA Coordinator and the PREA Manager, both indicated that they have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards as required. Therefore, the facility has demonstrated compliance with these parts of this standard.

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

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

Based on documentation provided by the Corrections Corporation of America - New Mexico Women's Correctional Facility does not contract with other facilities to house inmates assigned to their custody. Therefore, this standard was found to be non-applicable to this facility.

### **§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)

Based on staff interviews, review of documentation provided and review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy, 14-2, pages 8 and 9, section D & E.

115.13 (a) The facility has documented and made its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing as described and required by this standard. Video monitoring has also been deployed to assist with the protection of offenders against sexual abuse. The staffing levels are monitored daily by review of shift rosters. Therefore, the facility has demonstrated compliance with this part of the standard.

115.13 (b) The facility has procedures in place to ensure all deviations are covered or a report must be submitted to the Warden. There have been no deviations reported where the staffing plan has not been complied with in the past twelve months, as confirmed by interview with the Warden. Therefore, the facility has demonstrated compliance with this part of the standard.

115.13 (c) The staffing plan is reviewed annually by the PREA Manager and forwarded to the PREA Coordinator and Warden for review. It is then forwarded to the Vice President of Facility Operations for signature and approval of any recommendations made which would include changes to policy and procedures, physical plant, video monitoring or staffing. The last Annual Staffing Plan Assessment was completed on August 27, 2014. Therefore, the facility has demonstrated compliance with this part of the standard.

115.13 (d) Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy, section D on page 9, staff interviews, and documentation provided. Intermediate-level or higher-level supervisors are required to conduct and document UNANNOUNCED rounds on all shifts as required. Therefore, the facility has demonstrated compliance with this part of the 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)

Not Applicable Standard

Based on the documentation provided, Corrections Corporation of America - New Mexico Women's Correctional Facility is an adult female facility and does not house youthful offenders. Therefore, this standard was found to be non-applicable to this facility.

## §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)

115.15 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, section K on pages 15 and 16 outlines offender searches including searches of transgender and intersex offenders. The review of training curriculums and staff interviews revealed cross gender strip searches are prohibited except in exigent circumstances and must be documented on form 5-1B if conducted. There have been no documented cross-gender visual body cavity or strip searches reported in the past 12 months. Therefore, the facility has demonstrated compliance with this part of the standard.

115.15 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, section K, 1, b on pages 15 prohibits male employees from frisk/pat searches of female inmates/residents except in exigent circumstances. Therefore, the facility has demonstrated compliance with this part of the standard.

115.15 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, section J on page 15 requires that all cross-gender strip searches in exigent circumstances be documented on the "Notice to Administration" form 5-1B. There have been no documented cross-gender visual body cavity or strip searches reported in the past 12 months. Therefore, the facility has demonstrated compliance with this part of the standard.

115.15 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, section J on page 15 outlines that inmates shall be permitted to shower, perform bodily functions and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks or genitalia. Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, section J on page 15 was reviewed and required staff of the opposite gender to announce their presence prior to entering the housing units. Inmate and staff interviews revealed that male staff members announce themselves when they enter the housing units and reminders of this requirement are posted on the entry doors of all housing units. The inmates did confirm also during interviews they have privacy when showering, using the toilets and while changing their clothes. Therefore, the facility has demonstrated compliance with this part of the standard.

115.15 (e) Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, section J on page 15, training curriculum provided and staff interviews the facility prohibits staff from physically examining transgender or intersex inmates for the sole purpose of determining genital status. If

the inmate's genital status is unknown, it is determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. Therefore, the facility has demonstrated compliance with this part of the standard.

115.15 (f) Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, training curriculum provided, staff training file reviews, and staff interviews the facility trains security staff to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. Therefore, the facility has demonstrated compliance with this part of the standard.

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, page 14, section I, the lesson plan *Safety and Security Issues Part 2* and review of Language Line contract. As well as staff and inmate interviews.

115.16 (a) The Corrections Corporation of America - New Mexico Women's Correctional Facility takes appropriate steps to ensure inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity to participate in or benefit from all aspects of its efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Therefore, the facility has demonstrated compliance with this part of the standard.

115.16 (b) The Corrections Corporation of America - New Mexico Women's Correctional Facility takes reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient, including steps to provide interpreters who can interpret effectively accurately and impartially. Therefore, the facility has demonstrated compliance with this part of the standard.

115.16 (c) The Corrections Corporation of America - New Mexico Women's Correctional Facility does not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.17 – Hiring and Promotion Decisions**

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

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, pages 5 and 6, section B, Human Resource staff interviews and personnel file reviews.

115.17 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility does not hire or promote anyone who may have contact with inmates, and does not enlist the services of any contractor or volunteer who may have contact with inmates, who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution, has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or has been civilly or administratively adjudicated to have engaged in the activity described above. Therefore, the facility has demonstrated compliance with this part of the standard.

115.17 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility considers any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. Therefore, the facility has demonstrated compliance with this part of the standard.

115.17 (c)-1 Corrections Corporation of America - New Mexico Women's Correctional Facility requires a criminal background records check be completed before hiring any new employee. These background checks are completed by the New Mexico Department of corrections and the results are forwarded to the facility. Therefore, the facility has demonstrated compliance with this part of the standard.

115.17 (c)-2 Corrections Corporation of America - New Mexico Women's Correctional Facility makes their best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any pending investigations of allegation of sexual abuse. Therefore, the facility has demonstrated compliance with this part of the standard.

115.17 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility requires a criminal background records check be completed before enlisting the services of any contractor who may have contact with the inmates. Therefore, the facility has demonstrated compliance with this part of the standard.

115.17 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility requires a criminal background records check be completed on all current employees and contractors at least every five years. Therefore, the facility has demonstrated compliance with this part of the standard.

115.17 (f) Corrections Corporation of America - New Mexico Women's Correctional Facility instills upon all employees a continuing affirmative duty to disclose any sexual misconduct as required by this standard. A Self Declaration of Sexual Abuse/Sexual Harassment (14-2H) is completed by all applicants, upon being hired and if being considered for a promotion. Therefore, the facility has demonstrated compliance with this part of the standard.

115.17 (g) Corrections Corporation of America - New Mexico Women's Correctional Facility policy mandates that material omissions regarding sexual misconduct, and the provision of materially giving false information, are grounds for termination as required by this standard. Therefore, the facility has demonstrated compliance with this part of the standard.

115.17 (h) Corrections Corporation of America - New Mexico Women's Correctional Facility policy requires that the agency shall provide information on substantiated allegations of sexual abuse or sexual harassment involving a current or former employee upon receiving a request from an institutional employer for whom such employee has applied to work. Therefore, the facility has demonstrated compliance with this part of the standard.

## **§115.18 – Upgrades to Facilities and Technology**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, page 30, section V, staff interviews and review of documentation provided.

115.18 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility requires when designing or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency's

ability to protect inmates from sexual abuse. Therefore, the facility has demonstrated compliance with this part of the standard.

115.18 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility requires when installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency's ability to protect inmates from sexual abuse.

During this audit cycle there has been no enhancements to the video technology at this facility. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.21 – Evidence Protocol and Forensic Medical Examinations**

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

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility policy 14-2, pages 23 & 24, section O-4 and policy 13-79.4, page 2, section A-I and ii, investigative staff interviews, and review of documentation provided.

115.21 (a) and (b) Corrections Corporation of America - New Mexico Women's Correctional Facility complies with all elements of this standard. The agency follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings. The Grants Police Department by Memorandum of Understanding will investigate ALL PREA complaints for potential criminal activity and maintains a close working relationship with the County Prosecutor and the New Mexico Women's Correctional Facility Investigator on each case. Therefore, the facility has demonstrated compliance with this part of the standard.

115.21 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility offers all victims of sexual abuse access to forensic medical examinations at Albuquerque SANE Collaborative in Albuquerque, New Mexico without financial cost, where evidentiary or medically appropriate. Such examinations are performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) by Memorandum of Understanding with Albuquerque SANE Collaborative. Therefore, the facility has demonstrated compliance with this part of the standard.

115.21 (d) The Corrections Corporation of America - New Mexico Women's Correctional Facility has entered into a Memorandum of Understanding with Albuquerque SANE Collaborative which agrees to provide outside victim advocacies services to the inmates. The services of these victim advocates has not been requested or used by the inmates during this audit cycle. Therefore, the facility has demonstrated compliance with this part of the standard.

115.21 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility makes available to the victim a victim advocate from Albuquerque SANE Collaborative or a qualified agency staff member. Upon request by the victim, a victim advocate or qualified agency staff member accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provide emotional support, crisis intervention, information, and referrals as warranted. Therefore, the facility has demonstrated compliance with this part of the standard.

115.21 (f) The Corrections Corporation of America - New Mexico Women's Correctional Facility is responsible for administrative and criminal investigations. Therefore, this part of the standard is not applicable to this facility.

## **§115.22 – Policies to Ensure Referrals of Allegations for Investigations**

X 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)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility policy 14-2, page 22 through 24, section O, investigative staff interviews, and review of documentation provided.

115.22 (a) The Corrections Corporation of America - New Mexico Women's Correctional Facility is required to investigate ALL PREA complaints. All potential criminal activity is referred by Memorandum of Understanding to the Grants Police Department for criminal investigation. Therefore, the facility has demonstrated compliance with this part of the standard.

115.22 (b) All PREA allegations are referred and investigated by Grants Police Department to determine potential criminal activity. If it is determined that the allegation involves potential criminal activity, the Grants Police Department will conduct the criminal investigation and prosecution as warranted. This policy is published on the agency website as required. Therefore, the facility has exceeds this part of the standard.

115.22 (c) The Corrections Corporation of America - New Mexico Women's Correctional Facility refers all criminal allegations for investigation by Memorandum of Understanding with the Grants Police Department. The policy is published on the

agency website as required. Therefore, this part of the standard is not applicable to this facility.

### **§115.31 – Employee Training**

X 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)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility policy 14-2 section B on page 5, staff interviews, random staff training file review and review of documentation provided (power points, certificates, sign in sheets, signed acknowledgement forms, training curriculums and employee handouts).

115.31 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility trains all employees who have contact with inmates on:

- (1) Its zero-tolerance policy for sexual abuse and sexual harassment;
- (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures;
- (3) Inmates' right to be free from sexual abuse and sexual harassment;
- (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;
- (5) The dynamics of sexual abuse and sexual harassment in confinement;
- (6) The common reactions of sexual abuse and sexual harassment victims;
- (7) How to detect and respond to signs of threatened and actual sexual abuse;
- (8) How to avoid inappropriate relationships with inmates;
- (9) How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and
- (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Therefore, the facility has demonstrated compliance with this part of the standard.

115.31 (b) The training is tailored to the gender of the inmates at Corrections Corporation of America - New Mexico Women's Correctional Facility. The employees receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa. Therefore, the facility has demonstrated compliance with this part of the standard.

115.31 (c) The training staff provided a report containing all staff that had been PREA trained which confirmed the requirements needed to meet the standard and proved that all current staff was trained within one year of the effective date of the PREA standards. All staff receives annual refresher PREA training during in-service which

exceeds the requirements of this standard. Therefore, the facility exceeds in this part of the standard.

115.31 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility documents, through employee signature on an acknowledgement form that employees understand the training they have received. Therefore, the facility has demonstrated compliance with this part of the 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)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility policy 14-2.4, section C-2, on page 8, volunteer and contractor interviews, random training file review and review of documentation provided (power points, certificates, sign in sheets, signed acknowledgement forms, training curriculums and handouts).

115.32 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility ensures all volunteers and contractors who have contact with inmates have been trained on their responsibilities under Corrections Corporation of America - New Mexico Women's Correctional Facility sexual abuse and sexual harassment prevention, detection, and response policies and procedures. Therefore, the facility has demonstrated compliance with this part of the standard.

115.32 (b) The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates, but all volunteers and contractors who have contact with inmates are notified of Corrections Corporation of America - New Mexico Women's Correctional Facility zero-tolerance policy 14-2 regarding sexual abuse and sexual harassment and informed how to report such incidents. Therefore, the facility has demonstrated compliance with this part of the standard.

115.32 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility documents through employee signature on an acknowledgement form that volunteers and contractors understand the training they have received. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.33 – Inmate Education**

Exceeds Standard (substantially exceeds requirement of standard)

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

Based on review of the Corrections Corporation of America - New Mexico Women's Correctional Facility policy 14-2, page 13 and 14, section I-1 and 2 and policy 17-101, Inmate Handbook, PREA pamphlets, Facility Orientation, PREA Posters; Information provided on the back of the inmate ID card, and the 30 day training video. As well as interviews with random inmates and staff.

115.33 (a) During the intake process, inmates receive information explaining Corrections Corporation of America - New Mexico Women's Correctional Facilities zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Inmates at this facility are given the information on how to report incidents of sexual abuse on the back side of their identification card exceeding the requirements of this part of the standard.

115.33 (b) Within 30 days of intake, Corrections Corporation of America - New Mexico Women's Correctional Facility provides comprehensive education to the inmates, administered by video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. Therefore, the facility has demonstrated compliance with this part of the standard.

115.33 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility has provided such education within one year of the effective date of the PREA standards to all its inmates, and provides education to inmates upon transfer as required by this standard. Therefore, the facility has demonstrated compliance with this part of the standard.

115.33 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. The facility has an agreement with Language Line Interpreter Services as well as TDD phones to assist inmates with these disabilities. Therefore, the facility has demonstrated compliance with this part of the standard.

115.33 (e) There was documentation provided of inmates participation in PREA educational sessions as required by this part of the standard. Therefore, the facility has demonstrated compliance with this part of the standard.

115.33 (f) Corrections Corporation of America - New Mexico Women's Correctional Facility does provide the inmates with posters, pamphlets, information on the back of the inmates ID card, and an inmate handbook in English and Spanish outlining the zero-tolerance policy regarding sexual abuse and sexual harassment and how to

report incidents or suspicions of sexual abuse or sexual harassment. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.34 – Specialized Training: Investigations**

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

Based on review of the Corrections Corporation of America - New Mexico Women's Correctional Facility policy 14-2 section b - ii on page 7 as well as the PREA Specialized Investigator Training curriculums provided, Investigators training file review and investigative staff interviews.

115.34 (a) In addition to the general training provided to all employees, Corrections Corporation of America - New Mexico Women's Correctional Facility ensures that the investigators have received training in conducting investigations in confinement settings. Therefore, the facility has demonstrated compliance with this part of the standard.

115.34 (b) Specialized training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Therefore, the facility has demonstrated compliance with this part of the standard.

115.34 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on review of the Corrections Corporation of America - New Mexico Women's Correctional Facility policy 14-2 section b - iii on page 7 as well as the PREA

Specialized Medical/Mental Health training video and curriculum provided, training file review and staff interviews.

115.35 (a) Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy as well as the PREA Specialized Medical/Mental Health training video, curriculum provided, training file review and staff interviews revealed the agency has provided specialized training to all its medical and mental health staff as required by this standard. Therefore, the facility has demonstrated compliance with this part of the standard.

The agency ensures all medical and mental health practitioners have additional training on how to detect and assess signs of sexual abuse and sexual harassment, how to preserve physical evidence, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how to report allegations of sexual abuse and sexual harassment. Therefore, the facility has demonstrated compliance with this part of the standard.

115.35 (b) The medical staff at this facility does not conduct forensic exams. Therefore, this part of the standard is not applicable to this facility.

115.35 (c) The agency maintains documentation that all medical and mental health practitioners have received specialized training. Therefore, the facility has demonstrated compliance with this part of the standard.

115.35 (d) Medical and mental health care practitioners also receive the training mandated for employees, contractors and volunteers. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.41 – Screening for Risk of Victimization and Abusiveness**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section G on page 12, inmate and staff interviews, file review, review of the 14-2B objective Initial PREA Intake Screening Assessment instrument and review of the 30-day PREA Reassessment Screening instrument.

115.41 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility ensures that all inmates are assessed during intake and upon transfer to another facility for risk of being sexually abused by other inmates or sexually abusive

toward other inmates. Therefore, the facility has demonstrated compliance with this part of the standard.

115.41 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility documentation provided does mandate screenings be conducted within 72 hours of arrival at the facility. Therefore, the facility has demonstrated compliance with this part of the standard.

115.41 (c) Based on the documentation provided and inmate file review the facility utilizes an objective screening instrument. Therefore, the facility has demonstrated compliance with this part of the standard.

115.41 (d) The intake screening instrument used considers, at a minimum, the following criteria to assess inmates for risk of sexual victimization:

- (1) Whether the inmate has a mental, physical, or developmental disability;
- (2) The age of the inmate;
- (3) The physical build of the inmate;
- (4) Whether the inmate has previously been incarcerated;
- (5) Whether the inmate's criminal history is exclusively nonviolent;
- (6) Whether the inmate has prior convictions for sex offenses against an adult or child;
- (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (8) Whether the inmate has previously experienced sexual victimization;
- (9) The inmate's own perception of vulnerability; and
- (10) Whether the inmate is detained solely for civil immigration purposes.

Therefore, the facility has demonstrated compliance with this part of the standard.

115.41 (e) The initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to Corrections Corporation of America - New Mexico Women's Correctional Facility, in assessing inmates for risk of being sexually abusive. Therefore, the facility has demonstrated compliance with this part of the standard.

115.41 (f) Within 30 days from the inmate's arrival, the Corrections Corporation of America - New Mexico Women's Correctional Facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by Corrections Corporation of America - New Mexico Women's Correctional Facility since the intake screening. Therefore, the facility has demonstrated compliance with this part of the standard.

115.41 (g) Corrections Corporation of America - New Mexico Women's Correctional Facility will reassess an inmate's risk level when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. Therefore, the facility has demonstrated compliance with this part of the standard.

115.41 (h) Corrections Corporation of America - New Mexico Women's Correctional Facility does not discipline inmates for refusing to answer screening questions or not

disclosing complete information. Therefore, the facility has demonstrated compliance with this part of the standard.

115.41 (i) Corrections Corporation of America - New Mexico Women's Correctional Facility implements appropriate controls on the dissemination of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. Based on interview with the staff responsible for completing the screening the information gathered on the screening instrument was restricted to staff making housing, work and program assignments. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.42 – Use of Screening Information**

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section I on page 14, inmate and staff interviews, file reviews, review of the 14-2B objective Initial PREA Intake Screening Assessment instrument and review of the 30-day PREA Reassessment Screening instrument.

115.42 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility uses information from the risk screening to decide housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. Therefore, the facility has demonstrated compliance with this part of the standard.

115.42 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility makes individualized determinations about how to ensure the safety of each inmate. Therefore, the facility has demonstrated compliance with this part of the standard.

115.42 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility outlines the procedures to be followed in deciding whether to assign a transgender inmate to a facility for male or female inmates, and the process for making housing and programming assignments, on a case by case bases as required by this standard. Therefore, the facility has demonstrated compliance with this part of the standard.

115.42 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility outlines the procedures for placement and programming assignments of each

transgender or intersex inmate being reassessed at least twice per year to review any threats to safety experienced by the inmate as required by this standard. Therefore, the facility has demonstrated compliance with this part of the standard.

115.42 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility requires that a transgender and intersex inmate's own views regarding their own safety be given serious consideration. Therefore, the facility has demonstrated compliance with this part of the standard.

115.42 (f) Corrections Corporation of America - New Mexico Women's Correctional Facility requires that transgender and intersex be given the opportunity to shower separately from other inmates. Therefore, the facility has demonstrated compliance with this part of the standard.

115.42 (g) Corrections Corporation of America - New Mexico Women's Correctional Facility does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section J pages 14 and 15, staff interviews, inmate interviews and documentation review.

115.43 (a) Inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. The Corrections Corporation of America - New Mexico Women's Correctional Facility policy outlines the procedures to ensure compliance with this standard. Staff and inmate interviews revealed no incidents of involuntary segregated housing being used for this purpose during the past 12 months at this facility. Therefore, the facility has demonstrated compliance with this part of the standard.

115.43 (b) Inmates placed in segregated housing for this purpose have access to programs, privileges, education, and work opportunities to the extent possible. If Corrections Corporation of America - New Mexico Women's Correctional Facility restricts access to programs, privileges, education, or work opportunities, Corrections Corporation of America - New Mexico Women's Correctional Facility documents the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Therefore, the facility has demonstrated compliance with this part of the standard.

115.43 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility assigns such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment does not ordinarily exceed a period of 30 days. Therefore, the facility has demonstrated compliance with this part of the standard.

115.43 (d) If involuntary segregated housing assignment is made, Corrections Corporation of America - New Mexico Women's Correctional Facility clearly documents the basis for the facilities' concern for the inmate's safety; and the reason why no alternative means of separation can be arranged. Therefore, the facility has demonstrated compliance with this part of the standard.

115.43 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility requires a 30 day review to determine whether there is a continuing need for separation from the general population. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.51 – Inmate Reporting**

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

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section L pages 16 and 17, the Inmate Handbook, PREA pamphlets, information provided on the back side of the inmate identification card, and posters provided to inmates were utilized to verify compliance with this standard. Staff and inmate interviews verified the inmates have multiple internal ways to report incidents of abuse or harassment. They can report verbally, in writing, dialing the hotline provided and/or through report of a third party.

115.51 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy outlines multiple internal ways for inmates to report incidents of abuse or harassment. They can report verbally, in writing, dialing the hotline

provided and/or through report of a third party. Therefore, the facility has demonstrated compliance with this part of the standard.

115.51 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility provides at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of Corrections Corporation of America - New Mexico Women's Correctional Facility, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. The Corrections Corporation of America - New Mexico Women's Correctional Facility has an agreement with the Rape Crisis Center of New Mexico to provide this service. Therefore, the facility has demonstrated compliance with this part of the standard.

115.51 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section L-2 page 17 requires all staff to accept reports made verbally, in writing, anonymously and from third parties. All allegations shall be promptly documented in an incident report and reported to the supervisor. Therefore, the facility has demonstrated compliance with this part of the standard.

115.51 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility staff may privately report sexual abuse and sexual harassment to the Warden, a supervisor, PREA manager, or the agencies ethics hotline at the corporate office. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.52 – Exhaustion of Administrative Remedies**

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

The Corrections Corporation of America - New Mexico Women's Correctional Facility policy 14-2, section L-1 page 17 does not require an inmate to submit a grievance or allow a PREA incident reported on a grievance to be processed through the facility's grievance process. Should a report be submitted it is the policy to immediately forward the complaint to the Investigator or the Administrative Duty Officer on duty. Therefore, this standard was found not applicable to this facility.

### **§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)

115.53 (a) The agency has entered into a Memorandum of Understanding with the Rape Crisis Center of New Mexico which agrees to provide confidential outside victim advocacies services to the inmates at Corrections Corporation of America - New Mexico Women's Correctional Facility. The mailing address and telephone numbers, including toll-free hotline numbers for this agency are made available to all inmates at the facility. Corrections Corporation of America - New Mexico Women's Correctional Facility enables reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible. The services of these victim advocates have not been requested or used by the inmates during this audit cycle, verified by phone call. Therefore, the facility has demonstrated compliance with this part of the standard.

115.53 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility informs inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws. Therefore, the facility has demonstrated compliance with this part of the standard.

115.53 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility maintains a Memorandum of Understanding with the Rape Crisis Center of New Mexico. Therefore, the facility has demonstrated compliance with this part of the 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)

The agency provides multiple methods for receiving third-party reports of sexual abuse and sexual harassment on the agency website at: [www.correctionscorp.com](http://www.correctionscorp.com). The information available on the website explains how to report sexual abuse and sexual harassment on behalf of an inmate. The facility takes all reports seriously no matter how they are received and investigates each reported incident. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section L pages 17 and 18, staff interviews, and documentation provided.

115.61 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility requires all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of Corrections Corporation of America - New Mexico Women's Correctional Facility; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. Therefore, the facility has demonstrated compliance with this part of the standard.

115.61 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility requires apart from reporting to designated supervisors or officials, staff do not reveal any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions. Therefore, the facility has demonstrated compliance with this part of the standard.

115.61 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility requires medical and mental health practitioners to report sexual abuse immediately to the security staff supervisor. Medical and mental health practitioners are required to inform the inmates of their duty to report, and the limitations of confidentiality, at the initiation of services. Therefore, the facility has demonstrated compliance with this part of the standard.

115.61 (d) If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, Corrections Corporation of America - New Mexico Women's Correctional Facility reports the allegation to the Child and Family Protective Services Department of New Mexico. Therefore, the facility has demonstrated compliance with this part of the standard.

115.61 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility reports all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility investigator. Therefore, the facility has demonstrated compliance with this part of the standard.

## **§115.62 – Agency Protection 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)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section H page 12, staff interviews, and documentation provided.

115.62 (a) Immediate action is taken to protect inmates when Corrections Corporation of America - New Mexico Women's Correctional Facility learns that an inmate is subject to a substantial risk of imminent sexual abuse. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.63 – Reporting to Other Confinement Facilities**

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)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section M page 19, staff interviews, and documentation provided.

115.63 (a) Upon receiving an allegation that an inmate was sexually abused while confined at another facility, the head of Corrections Corporation of America - New Mexico Women's Correctional Facility that received the allegation notifies the head of the facility or appropriate office where the alleged abuse occurred. Therefore, the facility has demonstrated compliance with this part of the standard.

115.63 (b) and (c) Such notification is provided as soon as possible, but no later than 72 hours after receiving the allegation, and all actions are thoroughly documented. Therefore, the facility has demonstrated compliance with this part of the standard.

115.63 (d) Upon receiving a call from an outside facility that an inmate had been sexually abused while in the custody of the Corrections Corporation of America - New Mexico Women's Correctional Facility. The allegation is referred immediately to the facility investigator to be investigated. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section M pages 18 - 21, staff interviews, and documentation provided.

115.64 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility policy outlines the responsibilities of all staff members receiving an allegation of sexual abused to follow these guidelines:

- (1) Separate the alleged victim and abuser;
- (2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;
- (3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and
- (4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Therefore, the facility has demonstrated compliance with this part of the standard.

115.64 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy mandates when the first staff responder is not a security staff member, they shall advise the alleged victim not to take any actions that could destroy physical evidence, and then notify security staff immediately. The auditor confirmed compliance based on interviews with non-security staff. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.65 – Coordinated Response**

- X 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)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section M pages 18 - 21, staff interviews, and documentation provided.

115.65 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility has a very comprehensive written plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators and facility leadership. The plan clearly defines the responsibilities of each and the procedures to follow in detail. Interviews with SART members confirmed their knowledge of the response plan. Part of the response plan is the 14-2C Sexual Abuse Incident Check Sheet which is checklist that is initiated upon receiving a PREA allegation and ensures all steps in the plan are carried out in a timely manner. Therefore, the facility exceeds the requirements of this 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)

Based on PREA Policy 14-2, section R page 26 and interview with agency head and the PREA Coordinator and documentation provided.

115.66 (a) Employees are subject to disciplinary sanctions up to termination for violating CCA's policies on sexual abuse and sexual harassment. When the Agency Head was interviewed he reported that 7% of CCA facilities are unionized and 93% are not. The Corrections Corporation of America - New Mexico Women's Correctional Facility has not entered into any collective bargaining agreements during this audit cycle. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section E pages 10 as well as section F pages 10 and 11, staff interviews, inmate interviews, and documentation provided.

115.67 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility has a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and designates which staff members or departments are charged with monitoring retaliation. Therefore, the facility has demonstrated compliance with this part of the standard.

115.67 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility has multiple protection measures, such as housing changes or transfers for inmates, victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations. Therefore, the facility has demonstrated compliance with this part of the standard.

115.67 (c) For at least 90 days following a report of sexual abuse, Corrections Corporation of America - New Mexico Women's Correctional Facility monitors the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and act promptly to remedy any such retaliation. There are periodic status checks performed. Corrections Corporation of America - New Mexico Women's Correctional Facility monitoring includes any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. Such monitoring continues beyond 90 days if the initial monitoring indicates a continuing need. Therefore, the facility has demonstrated compliance with this part of the standard.

115.67 (d) If any other individual who cooperates with an investigation expresses a fear of retaliation, Corrections Corporation of America - New Mexico Women's Correctional Facility takes appropriate measures to protect that individual against retaliation. Therefore, the facility has demonstrated compliance with this part of the 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)

115.68 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility prohibits offenders who have alleged sexual abuse to be placed in involuntary segregated housing. If segregated housing is used, the same provisions as outlined in policy 14-2, pages 14 and 15, section J would apply. Interview with the Warden and

segregation staff revealed that involuntary segregation has not been used for this purpose in the past 12 months. The Warden stated that if separation was required to protect the offender, he would be placed in segregation for no longer than 72 hours. Therefore, the facility has demonstrated compliance with this part of the 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)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section B page 7, investigative staff interviews, and review training certificates, investigative reports, interview with the PREA Coordinator, and the PREA Compliance Manager.

115.71 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility investigator conducts an investigation immediately when notified of an allegation of sexual abuse and sexual harassment. They do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (b) Based on training curriculums provided, Investigators training file review and investigative staff interviews, it was evident the facility provided, in addition to the general training received by all employees, specialized training to all its investigators. This training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; interview alleged victims, suspected perpetrators, and witnesses; and review prior complaints and reports of sexual abuse involving the suspected perpetrator. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (d) When the quality of evidence appears to support criminal prosecution, Corrections Corporation of America - New Mexico Women's Correctional Facility refers the case to the Grants Police Department for the criminal investigation. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (e) The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and is not determined by the person's status as inmate or staff. The inmate who alleges sexual abuse is not required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (f) Corrections Corporation of America - New Mexico Women's Correctional Facility administrative investigations include efforts to determine whether staff actions or failures to act contributed to the abuse; and are documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (g) Corrections Corporation of America - New Mexico Women's Correctional Facility, criminal investigations are documented by the Grants Police Department in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (h) Corrections Corporation of America - New Mexico Women's Correctional Facility refers all allegations to the Grants Police Department for investigation and prosecution. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (i) Corrections Corporation of America - New Mexico Women's Correctional Facility retains all written reports for as long as the alleged abuser is incarcerated or employed by Corrections Corporation of America - New Mexico Women's Correctional Facility, plus five years. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (j) The departure of the alleged abuser or victim from the employment or control of Corrections Corporation of America - New Mexico Women's Correctional Facility does not provide a basis for terminating an investigation. Therefore, the facility has demonstrated compliance with this part of the standard.

115.71 (k) This part of the standard is not-applicable to this facility as it's not a State entity or Department of Justice component that conducts such investigations.

115.71 (l) Corrections Corporation of America - New Mexico Women's Correctional Facility refers all PREA cases to the Grants Police Department and cooperates with their investigators during the entire investigation. The facility remains informed of the progress of the investigation through communication between the facility Investigator and the Grants Police Department investigator handling the case. Therefore, the facility has demonstrated compliance with this part of the 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)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section O subsections 5 on page 24 and investigative staff interviews.

Corrections Corporation of America - New Mexico Women's Correctional Facility imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Therefore, the facility has demonstrated compliance with this part of the standard.

## §115.73 – Reporting to Inmate

- 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)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section Q on pages 24 and 25, documentation provided, agency head and investigative staff interviews.

115.73 (a) Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy it was confirmed that following an investigation into an inmate's allegation he/she suffered sexual abuse in the facility, the inmate was to be informed whether the allegation had been determined to be substantiated, unsubstantiated, or unfounded. The documentation provided confirmed the inmates were provided this notification as required. Therefore, the facility has demonstrated compliance with this part of the standard.

115.73 (b) The agency does request all relevant information from the criminal investigation conducted by the Grants Police Department in order to inform the inmate as required by this standard. Therefore, the facility has demonstrated compliance with this part of the standard.

115.73 (c) Based on Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy and documentation provided it was confirmed that

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

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

Therefore, the facility has demonstrated compliance with this part of the standard.

115.73 (d) Following an inmate's allegation that they had been sexually abused by another inmate, Corrections Corporation of America - New Mexico Women's Correctional Facility subsequently informs the alleged victim whenever the facility learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or Corrections Corporation of America - New Mexico Women's Correctional Facility learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. Therefore, the facility has demonstrated compliance with this part of the standard.

115.73 (e) All such notifications or attempted notifications are documented. Based on the Notifications to the Offenders form 14-2E. Therefore, the facility has demonstrated compliance with this part of the standard.

115.73 (f) An agency's obligation to report under this standard terminates if the inmate is released from Corrections Corporation of America - New Mexico Women's Correctional Facilities custody.

### **§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)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section R on page 26, documentation provided, agency head and PREA Coordinator interviews.

115.76 (a) and (b) Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in

sexual abuse. Therefore, the facility has demonstrated compliance with this part of the standard.

115.76 (c) Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. Therefore, the facility has demonstrated compliance with this part of the standard.

115.76 (d) All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies. Therefore, the facility has demonstrated compliance with this part of the standard.

### **§115.77 – Corrective action for contractors and volunteers**

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

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section R on page 26, documentation provided, agency head and PREA Coordinator interviews.

115.77 (a) Any contractor or volunteer who engages in sexual abuse is prohibited from contact with inmates and are reported to law enforcement, unless the activity was clearly not criminal, and to relevant licensing bodies. Therefore, the facility has demonstrated compliance with this part of the standard.

115.77 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility takes appropriate remedial measures, and considers whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer. Therefore, the facility has demonstrated compliance with this part of the 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)

Based upon review of Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section R on page 26, documentation provided, agency head and PREA Coordinator interviews.

115.78 (a) Inmates are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Therefore, the facility has demonstrated compliance with this part of the standard.

115.78 (b) Sanctions are commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. Therefore, the facility has demonstrated compliance with this part of the standard.

115.78 (c) The disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. Therefore, the facility has demonstrated compliance with this part of the standard.

115.78 (d) The Mental Health staff offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, Corrections Corporation of America - New Mexico Women's Correctional Facility does not require the offending inmate to participate in such interventions as a condition of access to programming or other benefits. Therefore, the facility has demonstrated compliance with this part of the standard.

115.78 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility disciplines an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact. Therefore, the facility has demonstrated compliance with this part of the standard.

115.78 (f) A report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred does not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. Therefore, the facility has demonstrated compliance with this part of the standard.

115.78 (f) Corrections Corporation of America - New Mexico Women's Correctional Facility prohibits all sexual activity between inmates and may discipline inmates for such activity. Therefore, the facility has demonstrated compliance with this part of the standard.

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on medical and mental health staff interviews and documentation provided as well as Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2 section E on page 10, section G page 12, and section L on page 18. Also, policy 13-61 sections C and D pages 4 and 5.

115.81 (a) and (c) If the screening indicates the inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure the inmate is offered a follow-up meeting with the medical and/or mental health staff within 14 days of the intake screening. Therefore, the facility has demonstrated compliance with this part of the standard.

115.81 (b) If the screening indicates an inmate has previously perpetrated sexual abuse/prior sexual victimization, whether it occurred in an institutional setting or in the community, staff shall ensure the inmate is offered a follow-up meeting with mental health staff within 14 days of the intake screening. Therefore, the facility has demonstrated compliance with this part of the standard.

115.81 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility requires that any information related to sexual victimization or abusiveness that occurred in the facility is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Therefore, the facility has demonstrated compliance with this part of the standard.

115.81 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility requires medical and mental health practitioners to obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in the facility, unless the inmate is under the age of 18. Therefore, the facility has demonstrated compliance with this part of the standard.

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

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Based on medical and mental health staff interviews and documentation provided as well as Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, page 12, section G, policy 13-79, pages 3 & 4 and policy 13-34, page 2, section A, page 7, section 1 and page 8, section 2.

115.82 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility has an agreement with the Albuquerque SANE Collaborative to treat inmate victims of sexual abuse. The facility also has medical and mental health staff at the facility ensuring inmates receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment. Therefore, the facility has demonstrated compliance with this part of the standard.

115.82 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility has procedures to follow when no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders takes preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners. Therefore, the facility has demonstrated compliance with this part of the standard.

115.82 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility ensures inmate victims of sexual abuse while incarcerated are offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate. Therefore, the facility has demonstrated compliance with this part of the standard.

115.82 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility requires that all treatment services provided to the victim are without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on medical and mental health staff interviews and documentation provided as well as Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, page 12, section H, policy 13.70, page 3 & 4, section 1 & 2, policy 13-79, page 3, section b, page 4, section 2 and page 5, section 2-3.

115.83 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility offers medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any facility. Therefore, the facility has demonstrated compliance with this part of the standard.

115.83 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility mandates that the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. Therefore, the facility has demonstrated compliance with this part of the standard.

115.83 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility requires that medical and mental health staff provides all victims with medical and mental health services consistent with the community level of care. Therefore, the facility has demonstrated compliance with this part of the standard.

115.83 (d and e) Corrections Corporation of America - New Mexico Women's Correctional Facility offers pregnancy test and timely and comprehensive information about and timely access to all lawful pregnancy-related medical services to inmate victims of sexual abuse while incarcerated. Therefore, the facility has demonstrated compliance with this part of the standard.

115.83 (f) Corrections Corporation of America - New Mexico Women's Correctional Facility requires that medical and mental health staff provide inmate victims of sexual abuse while incarcerated tests for sexually transmitted infections as medically appropriate. Therefore, the facility has demonstrated compliance with this part of the standard.

115.83 (g) Corrections Corporation of America - New Mexico Women's Correctional Facility requires that medical and mental health staff provide treatment services to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident. Therefore, the facility has demonstrated compliance with this part of the standard.

115.83 (h) Corrections Corporation of America - New Mexico Women's Correctional Facility attempts to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning such abuse history and offer treatment when deemed appropriate by the mental health practitioners. Therefore, the facility has demonstrated compliance with this part of the standard.

## §115.86 – Sexual abuse incident reviews

X 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)

Based on interviews with the Warden, PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, pages 21 & 22, section IV.

115.86 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility conducts a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded. Therefore, the facility has demonstrated compliance with this part of the standard.

115.86 (b) Corrections Corporation of America - New Mexico Women's Correctional Facility ensures that these reviews occur within 30 days of the conclusion of the investigation. Therefore, the facility has demonstrated compliance with this part of the standard.

115.86 (c) The review team consist of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners. Therefore, the facility has demonstrated compliance with this part of the standard.

115.86 (d) The review team considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at facility; and they examine the area in Corrections Corporation of America - New Mexico Women's Correctional Facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; assess the adequacy of staffing levels in that area during different shifts; assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. The agency has deployed an excellent PREA after action review form which addresses all elements of the standard. Corrections Corporation of America - New Mexico Women's Correctional Facility conducts an incident review for all cases and reviews all findings telephonically with the agency wide PREA Coordinator for additional clarification and guidance. Therefore, the facility exceeds the intent of this part of the standard.

115.86 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility shall implement the recommendations for improvement, or shall document its reasons for not doing so. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, page 27, section T.

115.87 (a), (b) and (c) Corrections Corporation of America - New Mexico Women's Correctional Facility collects accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions, and aggregates the incident-based sexual abuse data at least annually. Therefore, the facility has demonstrated compliance with this part of the standard.

The incident-based data collected is based on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice. Therefore, the facility has demonstrated compliance with this part of the standard.

115.87 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. Therefore, the facility has demonstrated compliance with this part of the standard.

115.87 (e) Corrections Corporation of America - New Mexico Women's Correctional Facility does not contract its inmates to other facilities. Therefore, the facility has demonstrated compliance with this part of the standard.

115.87 (f) Upon request, Corrections Corporation of America - New Mexico Women's Correctional Facility provides all such data from the previous calendar year to the Department of Justice no later than June 30. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, pages 27 & 28, section T-3.

115.88 (a) Corrections Corporation of America - New Mexico Women's Correctional Facility reviews data collected to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions for each facility, as well as Corrections Corporation of America - New Mexico Women's Correctional Facility as a whole. Therefore, the facility has demonstrated compliance with this part of the standard.

115.88 (b) Such reports includes a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of Corrections Corporation of America - New Mexico Women's Correctional Facilities progress in addressing sexual abuse. Therefore, the facility has demonstrated compliance with this part of the standard.

115.88 (c) Corrections Corporation of America - New Mexico Women's Correctional Facility report is approved by Corrections Corporation of America's agency head and made readily available to the public through its website [www.correctionscorp.com](http://www.correctionscorp.com). Therefore, the facility has demonstrated compliance with this part of the standard.

115.88 (d) Corrections Corporation of America - New Mexico Women's Correctional Facility may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of the facility, but must indicate the nature of the material redacted. Therefore, the facility has demonstrated compliance with this part of the 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)

Based on interviews with the PREA Coordinator, the PREA Manager, and documentation provided as well as Corrections Corporation of America - New Mexico Women's Correctional Facility PREA policy 14-2, page 27, section T-2-C.

115.89 (a) through (d) Corrections Corporation of America - New Mexico Women's Correctional Facility makes all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website: [www.correctionscorp.com](http://www.correctionscorp.com).

All reports are securely retained and maintained for at least 10 years after the date of the initial collection unless Federal, State, or local law requires. Therefore, the facility has demonstrated compliance with this part of the standard.

**AUDITOR CERTIFICATION:**

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

Rodney P. Bivens

Auditor Signature

March 25, 2015

Date