

Prison Rape Elimination Act (PREA) Audit Report Community Confinement Facilities

☐ Interim ☒ Final

Date of Interim Audit Report: Click or tap here to enter text. ☐ N/A

If no Interim Audit Report, select N/A

Date of Final Audit Report: 12/22/21

Auditor Information

| | |
|---|---|
| Name: Jack Fitzgerald | Email: jffitzgerald@snet.net |
| Company Name: Fitzgerald Correctional Consulting LLC | |
| Mailing Address: 87 Sharon Drive | City, State, Zip: Wallingford CT06492 |
| Telephone: 203-694-4241 | Date of Facility Visit: November 1-2, 2021 |

Agency Information

| | | | |
|--|-----------------------------------|---|--|
| Name of Agency: Community Resources for Justice | | | |
| Governing Authority or Parent Agency (If Applicable): Click or tap here to enter text. | | | |
| Physical Address: 355 Boylston Street | | City, State, Zip: Boston MA 02116 | |
| Mailing Address: Click or tap here to enter text. | | City, State, Zip: Click or tap here to enter text. | |
| The Agency Is: | <input type="checkbox"/> Military | <input type="checkbox"/> Private for Profit | <input checked="" type="checkbox"/> Private not for Profit |
| <input type="checkbox"/> Municipal | <input type="checkbox"/> County | <input type="checkbox"/> State | <input type="checkbox"/> Federal |
| Agency Website with PREA Information: https://www.crj.org/divisions/social-justice-services/prea/ | | | |

Agency Chief Executive Officer

| | |
|-------------------------------|----------------------------------|
| Name: Deborah O'Brien | |
| Email: DObrien@crj.org | Telephone: (617) 423-2020 |

Agency-Wide PREA Coordinator

| | |
|--|---|
| Name: Heriberto Crespo | |
| Email: HCrespo@crj.org | Telephone: (617) 423-2020 |
| PREA Coordinator Reports to: Director of Crime and Justice Institution | Number of Compliance Managers who report to the PREA Coordinator: 8 |

Facility Information

Name of Facility: Brooke House

Physical Address: 107 Park Drive

City, State, Zip: Boston MA 02215

Mailing Address (if different from above):
Click or tap here to enter text.

City, State, Zip: Click or tap here to enter text.

The Facility Is:

☐ Military

☐ Private for Profit

☒ Private not for Profit

☐ Municipal

☐ County

☐ State

☐ Federal

Facility Website with PREA Information: <https://www.crj.org/divisions/social-justice-services/prea>

Has the facility been accredited within the past 3 years? ☒ Yes ☐ No

If the facility has been accredited within the past 3 years, select the accrediting organization(s) – select all that apply (N/A if the facility has not been accredited within the past 3 years):

☒ ACA

☐ NCCHC

☐ CALEA

☐ Other (please name or describe: Click or tap here to enter text.

☐ N/A

If the facility has completed any internal or external audits other than those that resulted in accreditation, please describe:
In addition to undergoing accreditation through ACA, the facility undergoes internal audits of community correctional practices as well as site visits completed by the State funding sources and County Sheriff's Offices who utilize the program.

Facility Director

Name: Lisa Chute

Email: lchute@CRJ.org

Telephone: 617-867-0300

Facility PREA Compliance Manager

Name: Lisa Chute

Email: lchute@crj.org

Telephone: 617-867-0300

Facility Health Service Administrator ☒ N/A

Name: Click or tap here to enter text.

Email: Click or tap here to enter text.

Telephone: Click or tap here to enter text.

Facility Characteristics

Designated Facility Capacity:

65

| | | |
|---|--|--|
| Current Population of Facility: | 42 | |
| Average daily population for the past 12 months: | 40 | |
| Has the facility been over capacity at any point in the past 12 months? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Which population(s) does the facility hold? | <input type="checkbox"/> Females <input checked="" type="checkbox"/> Males <input type="checkbox"/> Both Females and Males | |
| Age range of population: | 23-56 | |
| Average length of stay or time under supervision | 7 weeks | |
| Facility security levels/resident custody levels | Community Reentry/minimum | |
| Number of residents admitted to facility during the past 12 months | 168 | |
| Number of residents admitted to facility during the past 12 months whose length of stay in the facility was for 72 hours or more: | 154 | |
| Number of residents admitted to facility during the past 12 months whose length of stay in the facility was for 30 days or more: | 125 | |
| Does the audited facility hold residents for one or more other agencies (e.g. a State correctional agency, U.S. Marshals Service, Bureau of Prisons, U.S. Immigration and Customs Enforcement)? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| <p>Select all other agencies for which the audited facility holds residents: Select all that apply (N/A if the audited facility does not hold residents for any other agency or agencies):</p> | <input type="checkbox"/> Federal Bureau of Prisons <input type="checkbox"/> U.S. Marshals Service <input type="checkbox"/> U.S. Immigration and Customs Enforcement <input type="checkbox"/> Bureau of Indian Affairs <input type="checkbox"/> U.S. Military branch <input checked="" type="checkbox"/> State or Territorial correctional agency <input checked="" type="checkbox"/> County correctional or detention agency <input type="checkbox"/> Judicial district correctional or detention facility <input type="checkbox"/> City or municipal correctional or detention facility (e.g. police lockup or city jail) <input type="checkbox"/> Private corrections or detention provider <input type="checkbox"/> Other - please name or describe: Click or tap here to enter text. <input type="checkbox"/> N/A | |
| Number of staff currently employed by the facility who may have contact with residents: | 19 | |
| Number of staff hired by the facility during the past 12 months who may have contact with residents: | 8 | |
| Number of contracts in the past 12 months for services with contractors who may have contact with residents: | 0 | |
| Number of individual contractors who have contact with residents, currently authorized to enter the facility: | 0 | |
| Number of volunteers who have contact with residents, currently authorized to enter the facility: | 0 | |

Physical Plant

| | |
|--|--|
| Number of buildings: Auditors should count all buildings that are part of the facility, whether residents are formally allowed to enter them or not. In situations where temporary structures have been erected (e.g., tents) the auditor should use their discretion to determine whether to include the structure in the overall count of buildings. As a general rule, if a temporary structure is regularly or routinely used to hold or house residents, or if the temporary structure is used to house or support operational functions for more than a short period of time (e.g., an emergency situation), it should be included in the overall count of buildings. | 1 |
| Number of resident housing units: Enter 0 if the facility does not have discrete housing units. DOJ PREA Working Group FAQ on the definition of a housing unit: How is a "housing unit" defined for the purposes of the PREA Standards? The question has been raised in particular as it relates to facilities that have adjacent or interconnected units. The most common concept of a housing unit is architectural. The generally agreed-upon definition is a space that is enclosed by physical barriers accessed through one or more doors of various types, including commercial-grade swing doors, steel sliding doors, interlocking sally port doors, etc. In addition to the primary entrance and exit, additional doors are often included to meet life safety codes. The unit contains sleeping space, sanitary facilities (including toilets, lavatories, and showers), and a dayroom or leisure space in differing configurations. Many facilities are designed with modules or pods clustered around a control room. This multiple-pod design provides the facility with certain staff efficiencies and economies of scale. At the same time, the design affords the flexibility to separately house residents of differing security levels, or who are grouped by some other operational or service scheme. Generally, the control room is enclosed by security glass, and in some cases, this allows residents to see into neighboring pods. However, observation from one unit to another is usually limited by angled site lines. In some cases, the facility has prevented this entirely by installing one-way glass. Both the architectural design and functional use of these multiple pods indicate that they are managed as distinct housing units. | 4 |
| Number of single resident cells, rooms, or other enclosures: | 0 |
| Number of multiple occupancy cells, rooms, or other enclosures: | 18 |
| Number of open bay/dorm housing units: | 0 |
| Does the facility have a video monitoring system, electronic surveillance system, or other monitoring technology (e.g. cameras, etc.)? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No cameras |
| Has the facility installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology in the past 12 months? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Medical and Mental Health Services and Forensic Medical Exams | |
| Are medical services provided on-site? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are mental health services provided on-site? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

| | |
|---|---|
| Where are sexual assault forensic medical exams provided? Select all that apply. | <input type="checkbox"/> On-site <input checked="" type="checkbox"/> Local hospital/clinic Brigham and Women's Hospital <input type="checkbox"/> Rape Crisis Center <input type="checkbox"/> Other (please name or describe: Click or tap here to enter text.) |
| Investigations | |
| Criminal Investigations | |
| Number of investigators employed by the agency and/or facility who are responsible for conducting CRIMINAL investigations into allegations of sexual abuse or sexual harassment: | 0 |
| When the facility received allegations of sexual abuse or sexual harassment (whether staff-on-resident or resident-on-resident), CRIMINAL INVESTIGATIONS are conducted by: Select all that apply. | <input type="checkbox"/> Facility investigators <input type="checkbox"/> Agency investigators <input checked="" type="checkbox"/> An external investigative entity |
| Select all external entities responsible for CRIMINAL INVESTIGATIONS: Select all that apply (N/A if no external entities are responsible for criminal investigations) | <input checked="" type="checkbox"/> Local police department <input type="checkbox"/> Local sheriff's department <input type="checkbox"/> State police <input type="checkbox"/> A U.S. Department of Justice component <input type="checkbox"/> Other (please name or describe: Click or tap here to enter text.) <input type="checkbox"/> N/A |
| Administrative Investigations | |
| Number of investigators employed by the agency and/or facility who are responsible for conducting ADMINISTRATIVE investigations into allegations of sexual abuse or sexual harassment? | Click or tap here to enter text. |
| When the facility receives allegations of sexual abuse or sexual harassment (whether staff-on-resident or resident-on-resident), ADMINISTRATIVE INVESTIGATIONS are conducted by: Select all that apply | <input checked="" type="checkbox"/> Facility investigators <input checked="" type="checkbox"/> Agency investigators <input type="checkbox"/> An external investigative entity |
| Select all external entities responsible for ADMINISTRATIVE INVESTIGATIONS: Select all that apply (N/A if no external entities are responsible for administrative investigations) | <input type="checkbox"/> Local police department <input type="checkbox"/> Local sheriff's department <input type="checkbox"/> State police <input type="checkbox"/> A U.S. Department of Justice component <input type="checkbox"/> Other (please name or describe: <input checked="" type="checkbox"/> N/A |

Audit Findings

Audit Narrative (including Audit Methodology)

The auditor's description of the audit methodology should include a detailed description of the following processes during the pre-onsite audit, onsite audit, and post-audit phases: documents and files reviewed, discussions and types of interviews conducted, number of days spent on-site, observations made during the site-review, and a detailed description of any follow-up work completed during the post-audit phase. The narrative should describe the techniques the auditor used to sample documentation and select interviewees, and the auditor's process for the site review.

The Prison Rape Elimination Act (PREA) audit of the Community Resources for Justice (CRJ) Brooke House facility in Boston, MA, took place on November 2-3, 2021. The audit was conducted by Mr. Jack Fitzgerald, United States Department of Justice Certified PREA Auditor. Brooke House is one of CRJ's eight adult residential reentry programs that support men and women leaving correctional environments. CRJ has been aiding individuals' transitions from institutions for over 140 years. Today, the Social Justice Services division, which encompasses Brooke House, is one of a three-part organization that makes up CRJ. The agency's Community Strategies Division looks to support adults with developmental and intellectual disabilities. The third portion of the agency, the Crime, and Justice Institute, is committed to improving public safety and justice delivery throughout the country. The Crime and Justice Institute completes research, provides technical assistance, and supports policy and legislative change on many issues in both the adult and juvenile justice arenas.

The Auditor and Community Resources for Justice began discussions on Brooke House's PREA Audit's potential dates in February of 2021. A contract for auditing services was finalized in August of 2021. The Auditor provided an audit notice in two languages to the facility. The Facility Administrator posted the notice in English and Spanish, the two most common languages spoken at Brooke House. The Auditor was provided with a picture of the postings up six weeks in advance of the Auditor's planned site visit. The notice provides residents with information about the audit, how to contact the Auditor and the mail's confidential nature. The notice did not result in any confidential communication from staff, residents, or other interested parties. The Facility provided photo evidence of the postings on September 17, 2021, seven weeks before the site visit. The Auditor confirmed the postings visually and through interviews with staff and residence

The contract language includes an attachment that outlines the Audit process over three phases (Pre-Audit, On-Site, and Post Audit), including corrective actions if needed. The Auditor received a flash drive containing files supporting the Pre-Audit Tool information during October with additional emailed documents. During the Pre-Audit phase, the Auditor worked with CRJ's PREA Coordinator, Heriberto Crespo, the Assistant Director of Standards and Quality Assurance. Information was exchanged through emails and phone contact to clarify the information supplied and where additional information to support compliance was requested. The Auditor provided during the Pre-Audit phase a review of information submitted with questions on information provided or request for additional information to support compliance. Information was provided to the Auditor in advance of the site visit with other documents provided during the site visit. The Auditor provided the agency with a tentative idea of the audit day during a call, including approximate times on-site and the list of targeted populations that would need to be identified. The Auditor encouraged the agency to use the information online about the audit process to work with staff, so they had an increased level of comfort regarding the audit process and what to expect. The Auditor arrived in Boston on November 1, 2021. The Auditor arrived at the facility at 7:45 am on November 2nd. Program Monitors, whose position is the primary staff responsible for custody supervision in Brooke House, greeted the Auditor. The Auditor provided identification and received a copy of the facility PREA brochure consistent with the files' documentation. In the sign-in process, each individual visiting the site acknowledges the receipt of the PREA brochure. After some informal interactions with staff, the Auditor was escorted to the second-floor conference room that would serve as the interview space. The Auditor, staff, and residents all wore masks throughout the two days.

A virtual entrance meeting was held with Ellen Donnarumma, VP of Justice Services
Ernie Goodno, Director of Re-entry Programs, Oyeyemi Payne, VP of Quality and Compliance

Heriberto Crespo, Assistant Director of Quality and Compliance and PREA Coordinator, Michael Venezia – Intake Release Coordinator Brooke House, Matthew LeFrancois – Interim Director and Contract Oversight Manager – MA Reentry Programs, Pierre Lubin – VP of Human Resources & Culture, Monica Mosho - HR Manager, Stacy Newman – Senior Talent Acquisition Specialist. The Auditor thanked the facility for preparing the Pre-Audit tool and supporting documentation. The Auditor then explained his background and experience in auditing, the audit's goals, and what to expect throughout the two full-day visits. The Auditor reviewed the tentative schedule of tours, interviews, supporting documentation verifications, and expected to be on-site for 18 to 20 hours over the two days. The Auditor was on-site for a total of 20.75 hours in the two days (Day 1 7:45a-8:00p, Day 2 6:30a-3:00p), allowing for observation of staff and resident interactions across the three shifts. At the completion of the virtual meeting, I was provided a tour of the facility reviewing all spaces of the complex. Mr. LeFrancois is the Interim Director as the current Director was currently out of work. Mr. LeFrancois, the Contract Oversight Manager, normally oversees several of the CRJ state-funded programs in Massachusetts, including Brooke House. The Auditor was informed about safety protocols, how PREA assessment information is used, and the agency's commitment to the safety of all individuals in the environment while preparing them to return to the community. The Tour provided the Auditor with an opportunity to see the cameras and lines of sight and the positioning of staff offices. The tour looked at all locked and unlocked areas, and the Auditor was able to speak freely to residents and staff as we moved about the complex.

At the completion of the tour, the Auditor received the current population roster for the facility, which included 42 residents (All-male). The Auditor worked with the facility Administration to identify *Targeted Residents* for interviews to be completed. The current population makeup did not allow for the identification of enough targets or residents in each of the targeted categories for Community Confinement facilities as promulgated by Auditor Handbook. Brooke House did not have any current residents who identified as Transgender or Intersex, had sexual abuse allegations, or was blind or deaf. The six individuals identified included one resident who was physically disabled and one with cognitive issues, one bisexual, one LEP resident, and two with prior victim histories. The Auditor also asked bilingual residents during random client interviews to determine if they felt resources for LEP residents. There were two refusals of random residents requested.

| Resident Interviews for facilities with 0-50 population | | |
|--|-----------------------|---------------------------|
| | # Interviews Required | # of Interviews Completed |
| Random Residents | 5 | 6 (2 other refusals) |
| Target resident Interviews | 5 | 6 |
| Resident with Physical Disability | 1 | 1 |
| Residents who are blind, Deaf, or hard of hearing | | |
| Residents who are LEP | | 1 |
| Residents with a Cognitive Disability | | 1 |
| The resident who Identified as Lesbian, gay, or Bisexual | 1 | 1 |
| Residents who Identify as Transgender or Intersex | 1 | 0 |
| A resident who reported Sexual Abuse | 1 | 0 |
| A resident who reported victimization during screening | 1 | 2 |
| Total | 10 | 12 |

The Auditor utilized regional resources identified by the facility to address specialized interview topics that the agency does not employ. These resources available in the community included a local rape crisis agency, a local hospital with SAFE/SANE trained staff, mental health clinics, and medical clinics. This process aimed to ensure enough resources were available to the clients in a sexual assault. The Auditor received information by email available on agency websites or through direct communication with individuals to assist in determining standard compliance. The Auditor also did web-based searches for news stories, state laws related to mandated reporting, and state-required protocols for sexual assault case handling and SAFE/SANE Certification process requirements. In October 2020, the Auditor had completed the interviews for the Agency Head and PREA Coordinator. The new Human Resources Vice President was interviewed by phone during this audit period.

| Administrative Interviews | |
|---------------------------------|--|
| Agency Head | Ellen Donnarumma Vice President of Justice Services |
| PREA Coordinator | Heriberto Crespo- Assistant Director of Standards and Quality Assurance |
| Hiring | Pierre Lubin – VP of HR & Culture |
| Facility Director/ Investigator | Matthew LeFrancois – Interim Director and Contract Oversight Manager – MA Reentry Programs |

The Brooke House does not employ individuals who provide Medical, Mental Health, SAFE or SANE services. The residents have access to mental health services and medical services in the local community. Resident victims of sexual assault can receive follow-up services through the Brigham and Women's Hospital and Boston Area Rape Crisis Centers BARCC. Several reported area hospitals have SAFE trained individuals, including the aforementioned Brigham and Women's Hospital, the Boston Medical Center, and Massachusetts General Hospital.

Brooke House has not had a staff who has acted in First Responder's role in the past three years. The facility does not subcontract for the housing of residents and prohibits all cross-gender searches of residents. Where appropriate, the Auditor utilized information from random staff interviews to determine compliance in his review of standards. Community Resources for Justice employs several individuals who have completed the National Institute for Corrections' training Investigating Sexual Abuse in a Correctional Setting, including, the Facility Director of each of CRJ's facilities. The Contract Oversight Manager was interviewed as the facility Investigator. He was aware of the importance of communication lines during an actual sexual assault investigation at Brooke House. He confirmed he and the Director would involve several agencies, including the Boston Police, Brigham and Women's Hospital, Boston Area Rape Crisis Centers BARCC (Rape Crisis Center), and CRJ administration. An Intake Release Coordinator at Brooke House performs the intake and PREA screenings on all new admissions. There were no intakes during the visit, so the Auditor had the Intake Release Coordinator walk him through the process by which she educates the new resident.

| Specialized Staff Interviews | |
|---|---|
| Positions described in standards | Title or agency that provided information to answer required questions. |
| Agency Contract Administrator | N/A – no subcontracted beds |
| Medical Staff | Brigham and Women's Hospital |
| Mental Health Staff | Community Based Services |
| Individuals who have done cross gender searches | N/A Agency Policy prohibits all cross-gender searches. |
| SAFE/SANE | Brigham and Women's Hospital |

| | |
|---|---|
| Volunteers or Contractors who have contact with residents | N/A |
| Investigative Staff | Contract Oversight Manager |
| Screening Staff | Intake and Release Coordinator Case Management Staff |
| Intake Staff | Intake and Release Coordinator |
| Local Rape Crisis Agency | Boston Area Rape Crisis Centers BARCC |
| Individuals responsible for retaliation monitoring | Assistant Director of Brooke House |
| First Responder | Random staff answers were used since no individual has had to act as a first responder. |
| Grievances | Assistant Director |
| | |

Brooke House had one allegation of sexual assault or sexual harassment in the past year. The Auditor reviewed the investigative file with the Contract Oversight Manager who is trained in completing administrative investigations into sexual misconduct cases. The Auditor reviewed the Agencies third-party reporting system and its annual report on PREA to determine if Brooke House data was included. This information was documented in reports provided to the Auditor and publicly available on the agency website. The Auditor confirmed this information with the agency and facility staff, and residents while on site. The Auditor also confirmed with community agencies that they were not aware of any complaints of sexual assault. The Auditor confirmed a grievance process that would trigger immediate investigations, but no allegations were made through this process. The Auditor confirmed with the Assistant Director the process used for reviewing grievances and responding to them.

The Auditor was provided hard copy documentation on-site and shown the electronic case management system *Secure Manage* while on site. A total of 22 current and former client files were reviewed in the pre-audit and on-site phases. Additional internal agency reports were shown to the Auditor while on-site to support ongoing mechanisms in place to ensure initial screening and 30-day reassessments of PREA risks are being monitored for timeliness. The Auditor requested dates for various staff records elements that support compliance in advance of the site visit. The agency provided information on all employees who were employed six weeks before the site visit. The Auditor was provided the requested Human resource record for inspection, which matched the charted information provided.

| Onsite Documentation Reviews | | | |
|--|--|----|--|
| Client Files | Total population | 22 | 12 current files 10 Former resident files |
| Human resource files | Total Staff | 19 | 14 reviewed |
| Medical record | No Medical services on site | | |
| Mental health records | No Mental Health services on site | | |
| PREA Grievances | No Grievances filed | | |
| Written request or third-Party Complaints | No filings related to PREA | | |
| Number of PREA Sexual Abuse Investigations | There were no claims of Sexual Assault and one Sexual Harassment | | |

At the closure of the second day, the Auditor held an exit meeting. The following individuals were in attendance or participated virtually; Ernie Goodno, Director of Re-entry Programs; Oyeyemi Payne, VP of Quality and Compliance; Pierre Lubin – VP of HR & Culture; Heriberto Crespo, Assistant Director of Quality and Compliance and PREA Coordinator; Matthew LeFrancois – Interim Director and Contract

Oversight Manager – MA Reentry Programs; Elexyce Fiet, Assistant Director of Brooke House; Michael Venezia – Intake Release Coordinator; Sarah Forman – Case Manager Supervisor; and Komal Kaur – Case Manager. The Auditor thanked the members of the team for a supportive audit process by which staff and residents were easily accessible. The Auditor reviewed some of the staff and resident comments during the audit process, which supported a positive environment. Residents reported the facility is safe especially related to PREA, and could approach staff with a problem and felt it would be looked into. The Auditor described the post-audit process, which will require the Auditor to review the sum of all information provided, including documents, interviews, and observations used in determining compliance.

During the post-audit phase, the Auditor continued to pursue information from community resources. Assess documentation for consistency of practice and overall standard compliance. The PREA Coordinator and the Auditor spoke to confirm clarifications of information when needed. The Auditor had raised questions on the access to the language services, which was rectified in the first 24 hours. The Auditor requested that all staff be retrained on the new system to ensure compliance for which confirmation was provided

Facility Characteristics

The auditor's description of the audited facility should include details about the facility type, demographics and size of the inmate, resident or detainee population, numbers and type of staff positions, configuration and layout of the facility, numbers of housing units, description of housing units including any special housing units, a description of programs and services, including food service and recreation. The auditor should describe how these details are relevant to PREA implementation and compliance.

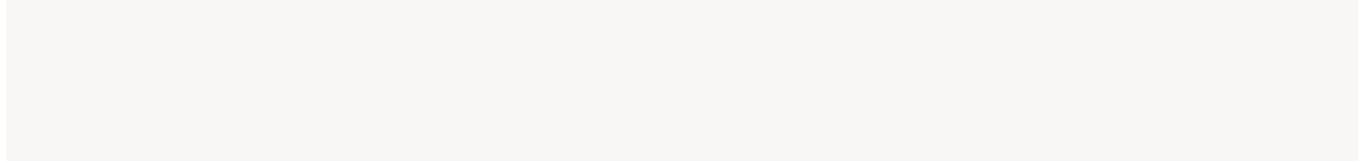
In Boston, MA, the Brooke House reentry facility consists of one five-story brick structure at 107 Park Drive in the Fenway Section of Boston, three blocks from the historic Fenway Park. Directly across the street is an expansive city park with multiple recreational opportunities for residents. The facility is in an urban residential area that has small businesses and restaurants not far from bus lines or subway lines. The facility is within walking distance of the medical service providers and local mental health service providers. The facility services clients being released from state and county correctional facilities as well as state probation clients in pre-violation status. The facility does not house immigration (ICE) detainees or individuals for the US Marshals Service. The facility provided data supporting its population over the last 12 months; the average population was 40, with approximately 168 admissions, including those on home confinement. As a community release facility, the majority of residents go into the community daily for employment and treatment services. Former clients are monitored on home confinement by the program's staff for several months post-release. The entrance points and are monitored by staff and recorded. Residents are pat searched or wand searched upon return from the community, and residents are subjected to urine screens monitored by the same gender staff as the resident. The facility also has one position that makes spot checks at employers to ensure residents are where they are supposed to be during the day.

The first floor of the facility has a staff monitoring station immediately upon entering the facility. PREA related materials were easily found in this area, as was the notice of the audit. The First Floor also has office space, a visiting /TV area, and a computer lab. The basement area houses the facility's mechanical and storage areas that were locked on the tour. The basement also houses the kitchen and two dining areas. These areas have cameras, but there are blind spots that the staff are aware of monitoring. The Contract Oversight Manager who provided the tour pointed out the potential blind spots and discussed practices employed to address clients' safety. Staff on duty make random tours of the facility all day to ensure client safety and facility security. Since food services are produced off-site and delivered to the site residents, they have little contact with the contractors. Outside contractors performing maintenance in the facility would also be monitored directly by staff.

The program monitoring station located inside the front door is always manned. It has three monitoring screens whereby the 42 internal and external cameras can be observed. The system allows for all cameras to be monitored at once, a particular camera or groups of cameras to be observed by the

Program Monitors. The video system also allows for staff to zoom in on a target area for clearer observation of resident activities. The Program Monitor space is always staffed and has computers for the staff to record resident movement on the agency electronic case management system Secure Manage. The front door is secured and on camera, and visitors must be let in. Each of the facility's cameras captures common areas, staircases, and exterior spaces. Staff utilizes the cameras to watch residents' movement in common areas, and management staff can access the system remotely. Staff performs random tours of the facility, including the hourly 20 bedrooms and two bathrooms per floor. All staff of opposite gender knocks and announce presence when entering any bedroom or bathroom. This procedure was seen on tour as well as observed when the Auditor moved freely about the facility subsequently. Staff are aware of blind spots in the facility and will add additional tours to areas if residents congregate in these areas. Each of the bedrooms has residents sleeping in bunk beds with areas for personal storage. The agency has a dress code for residents when in common areas. All residents must be fully clothed in bedrooms while sleeping to eliminate incidental viewing incidents. The second-floor houses bedrooms, a conference room, and the Program Director's office. Housing continues on floors three (3) to Five (5) with Case Management offices and the offices of the Community Support Specialist, The Assistant Director, and the Employment Verification Specialist. By spreading offices of management and case workers, the facility has created an ability to support the monitoring of residents through increased randomized staff presence. The Facility is equipped with an elevator, but use is limited to individuals with disabilities. Residents and staff who were encountered on the tour of the facility were asked general questions about programming, rules, and PREA. The Auditor also asked if they knew that the audit was scheduled for that week. The Auditor was able to find PREA information on each floor except one, including notice of the audit. The Posters that were missing were replaced during the two-day audit period.

The Contract Manager, throughout the tour, showed his knowledge of the standards and potential blind spot hazards and discussed practices employed to address the safety of clients. He described how PREA screening information affects room assignments and employment searches. He also described how they have had to be flexible during COVID-19 and adjust housing practices to increase resident safety.



Summary of Audit Findings

The summary should include the number and list of standards exceeded, number of standards met, and number and list of standards not met.

Auditor Note: No standard should be found to be “Not Applicable” or “NA”. A compliance determination must be made for each standard.

Standards Exceeded

Number of Standards Exceeded: 2

List of Standards Exceeded: 115.211, 115.215

Standards Met

Number of Standards Met: 40

Standards Not Met

Number of Standards Not Met: 0

List of Standards Not Met:

PREVENTION PLANNING

Standard 115.211: Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

All Yes/No Questions Must Be Answered by The Auditor to Complete the Report

115.211 (a)

- Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment? ☒ Yes ☐ No

115.211 (b)

- Has the agency employed or designated an agency-wide PREA Coordinator? ☒ Yes ☐ No
- Is the PREA Coordinator position in the upper-level of the agency hierarchy? ☒ Yes ☐ No
- Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?
☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☒ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☐ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900 Staff and Resident Sexual Misconduct
Letter Naming the PREA Coordinator (2018)
PREA Coordinator Training

CRJ Organizational Chart
SQA Audit reviews for Brooke House
ACA Accreditation report

Individuals interviewed/ observations made.

Vice President for Justice Services
Contract Oversight Manager – MA Reentry Programs
Director of Reentry Programs
PREA Coordinator

Indicator Summary determination.

Indicator (a). Community Resources for Justice has a policy that mandates zero tolerance toward sexual assault or sexual harassment at all its facilities. Policy 900.00 Staff and Resident Sexual Misconduct includes the statement, “CRJ has a zero-tolerance stance towards all forms of sexual abuse and sexual harassment and is applicable to residents, staff, volunteers, visitors, and contractors. The zero-tolerance stance includes education, prevention, detection, and responding to sexual abuse and sexual harassment incidents immediately.” The policy outlines the Brooke House and the agency’s efforts to prevent, detect, and respond to sexual abuse or sexual harassment incidents. The 22-page policy covers different aspects of protecting, detecting, and responding to sexual abuse or sexual harassment incident. Interviews with random residents support a zero-tolerance environment exist at Brooke House. Residents support that staff address negative behaviors. They report that if they were to voice a concern, they believed it would be taken seriously and stated the environment is safe from sexual misconduct. Random staff were able to identify key information on training, act as a first responder, and give examples of things they do in their job that supports a PREA safe environment. The Brooke House facility provides for active supervision of residents, and the physical plan provides good lines of site to aid in the supervision of clients. Of the current population interviewed the residents confirmed that sexualized behaviors do not exist, and staff support a zero-tolerance culture are diligent in ensuring inappropriate language and topics of conversation are addressed.

Indicator (b). Community Resources for Justice has an individual assigned to oversee the agency's efforts toward compliance with the Prison Rape Elimination Act (PREA). Heriberto Crespo is the agency's PREA Coordinator. Mr. Crespo is the agency's Assistant Director of Standards and Quality Assurance (SQA). The PREA Coordinator works with the heads of the CRJ's eight adult community confinement facilities and the Social Justice Services Division's senior leadership to track incidents, provide support to identified needs, and ensure all investigations are completed consistent with agency expectations and standards requirements. Both the PREA Coordinator and Vice President for Justice Services confirm the PREA Coordinator's ability to develop and implement policies and procedures to ensure residents' sexually safe in confinement across the agency. As the Assistant Director of Quality Assurance, Mr. Crespo has routine dealings with the residential directors, including the Brooke House Director. He also has routine conferences with the Contract Oversight Manager and the Director of Reentry Operations where both individual issues and trends that could impact compliance can be identified and addressed. The Agency provided the Auditor with the agency management flowchart and a letter confirming his agency-wide role as PREA Coordinator.

Compliance Determination

The information in Policy 900.00 Staff and Resident Sexual Misconduct supports zero-tolerance expectations towards any form of sexual assault or sexual harassment. Policy 900.00 goes on to address the role and responsibilities of the PREA Coordinator (page 3). Interviews with Vice President

for Justice Services and the PREA Coordinator confirm there are sufficient resources in place toward prevention, detection, and responding to any allegation of sexual abuse or sexual harassment. The Policy addresses numerous aspects of the agency's efforts to provide a zero-tolerance environment. The other supporting documentation provided confirms the PREA Coordinator's role in ensuring compliance with the standards. Brooke House residents confirmed the safety of the program and would feel safe to address concerns with staff. The Auditor also considered the staff members' knowledge of PREA training and zero-tolerance expectations in determining compliance. The Auditor supports the standard is exceeded. The agency requires each program to have the Director or Assistant Director serve as a PREA Manager. This process supports that the requirements of PREA are understood at the facility level and that PREA is part of the facility's culture. The documents and interviews support a close relationship between the facility management and the CRJ PREA Coordinator. Documents show PREA data is regularly reviewed at all levels of the agency. Documents reviewed and interviews support the PREA Coordinator's access to agency leadership to promote change or allocation of resources when needed. The Auditor also took into consideration the steps taken to redesign the facility, including moving the caseworkers and administration into the main building to improve observation of residents and access for the residents to facility leadership. The Auditor also considered comments from community agencies and referral sources supporting CRJs collaborative approach to address any concern that arises.

Standard 115.212: Contracting with other entities for the confinement of residents

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.212 (a)

- If this agency is public and it contracts for the confinement of its residents with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.) ☐ Yes ☐ No ☒ NA

115.212 (b)

- Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of residents.) ☐ Yes ☐ No ☒ NA

115.212 (c)

- If the agency has entered into a contract with an entity that fails to comply with the PREA standards, did the agency do so only in emergency circumstances after making all reasonable attempts to find a PREA compliant private agency or other entity to confine residents? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA

standards.) ☐ Yes ☐ No ☒ NA

- In such a case, does the agency document its unsuccessful attempts to find an entity in compliance with the standards? (N/A if the agency has not entered into a contract with an entity that fails to comply with the PREA standards.) ☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
CRJ Agency Website

Individuals interviewed/ observations made.

PREA Coordinator
Contract Oversight Manager – MA Reentry Programs

Indicator Summary determination.

Indicator (a). Brooke House is not a public agency; it is a contracted facility funded by the Massachusetts Probation Offices. It does not subcontract beds to any other vendor.

Indicator (b). Brooke House is not a public agency; it is a contracted facility funded by the Massachusetts Probation Offices. It does not subcontract beds to any other vendor.

Indicator (c). Brooke House is not a public agency; it is a contracted facility funded by the Massachusetts Probation Offices. It does not subcontract beds to any other vendor.

Compliance Determination

The standard is compliant. Currently, there is no subcontract of beds with any other agency. Brooke House is part of the Community Resources for Justice, a private non-profit organization. Information was confirmed through discussions with the Agency PREA Coordinator and the Auditor's review of the agency website.

Standard 115.213: Supervision and monitoring

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.213 (a)

- Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect residents against sexual abuse?
- ☒ Yes ☐ No In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The physical layout of each facility?
☒ Yes ☐ No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the resident population? ☒ Yes ☐ No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse? ☒ Yes ☐ No
- In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors? ☒ Yes ☐ No

115.213 (b)

- In circumstances where the staffing plan is not complied with, does the facility document, and justify all deviations from the plan? (N/A if no deviations from staffing plan.)
☐ Yes ☐ No ☒ NA

115.213 (c)

- In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the staffing plan established pursuant to paragraph (a) of this section? ☒ Yes ☐ No
- In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to prevailing staffing patterns? ☒ Yes ☐ No
- In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the facility's deployment of video monitoring systems and other monitoring technologies? ☒ Yes ☐ No
- In the past 12 months, has the facility assessed, determined, and documented whether adjustments are needed to the resources the facility has available to commit to ensure adequate staffing levels? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900.00 Staff and Resident Sexual Misconduct
 Brooke House Staffing Plan w/ floorplans & camera locations
 CRJ Annual PREA Report

Individuals interviewed/ observations made.

PREA Coordinator
 Contract Oversight Manager – MA Reentry Programs Random Residents
 Random Staff
 Staffing consistent with schedule

Indicator Summary determination.

Indicator (a). Brooke House has developed a narrative staffing plan that describes the number of staff per shift to provide adequate supervision of the residents in promoting a safe environment. The narrative document addresses the facility's physical layout and the location of cameras that support active supervision. The 15-page documentation addresses the various elements required in indicators (a) and (c). As a state-funded facility, staffing expectations are part of the contractual agreement and are required to be reported to the funding source reportedly. In speaking with the agency leadership, it is clear they take into consideration all incidents, not just PREA events, in deciding staffing and video surveillance needs. The Agency's staffing plan covers staffing assignments, the physical plant's layout, the placement of cameras, and identifying blind spots. The document also covers the current makeup of the population and the frequency of PREA related incidents.

During the onsite portion of the audit, the Auditor was able to see the cameras' locations and the positioning of offices that support residents' supervision. The facility has had no allegations of sexual assault in the past three years, and they added cameras to improve supervision. Policy 900.00 (page 4) addresses this indicator's elements by defining the staffing plan's content expectations.

“ a. The program has developed a staffing plan that provides for expected levels of program supervision and monitoring, to ensure that the facility is safe and secure.

b. Video monitoring is also used to monitor and supervise residents in common areas and provides additional protection against sexual abuse.

c. Once a year, during the budget preparation period, the staffing plan is reviewed to assess for any necessary adjustments: (1) in the staffing plan, (2) in prevailing staffing patterns, (3) with the deployment of video monitoring systems and (4) with other monitoring practices or the allocation of facility resources to commit to the staffing plan to ensure PREA compliance.”

Interviews with the facility Director and the Vice President of Social Justice Services further support knowledge of the elements to be considered initially and in an annual review. The Auditor also reviewed the staffing schedule, including the non-custodial positions, to compare against client schedules. This supports those additional resources are available to monitor interactions when there is larger movement in the facility.

Indicator (b). Brooke House has not had a situation where they have not met the facility's minimum staffing in the past three years. It was confirmed through interviews that they can mandate coverage or request volunteers in an emergency to provide support. Policy 900.00 Page 4 states, “If a deviation ever occurs in the staffing plan, it is documented, and the reason for noncompliance is justified.” The program has a minimum complement of 2 staff. The program requires that a male staff be on shift if it is not readily available, the administration will respond or utilize staff from their other programs until the vacancy can be filled. The Program has also trained per diem employees to also fill shifts. The staffing plan document shows that in addition to the two program monitors there is scheduled into the early evening hours for the Assistant Director, Case Managers, and the Case Manager Supervisor. These individuals who are not included in the minimum are all trained in the security protocols and provide additional support during the evening meal period and when most residents are returning from work in the community.

Indicator (c). As noted in indicator (a), policy 900.00, sets forth language supporting an annual review process for the staffing of each of CRJ’s facilities. Brooke House has a process in place by which the Facility Director reviews the existing plan for adequacy in providing a safe environment for residents. In an interview with the Auditor, the Contract Oversight Manager stated he considers any findings from a PREA event or any other situation where the safety or security of the building was compromised. The PREA Coordinator also confirmed that the administration would be consulted on any long-term changes and additions of resources such as video surveillance equipment. The facility Staffing plan document addresses the annual review process, including changes that have occurred since the last audit period. The Vice President for Justice Services, Director of Reentry Programs and Contract Oversight Manager all confirm that immediate solutions would be put in place to resolve identified risks from incident reviews or investigations. The Vice President supports Community Resources for Justice’s commitment to providing a safe environment at all times for the residents of Brooke House.

Compliance Determination

Brooke House is compliant with the expectations of standards 115.213. The facility had a written plan that discusses the elements described in indicator (a) and a process for the annual review of staffing and technological needs to support residents' safety management. The staffing plan development was reportedly guided by the contractual guidelines and standards promulgated by the American Correctional Association. The Auditor is told that funding and referring authorities monitor staffing. The Auditor confirmed with a Captain of the Suffolk County Sheriff’s office that his community officers, who are routinely in the facility, would be expected to report and staffing concerns observed or reported by the clients. The Community Resources for Justice supports the facility by providing additional resources when necessary. CJR advocated since the last audit for more resources for clients, including two case managers and a Community Resources Specialist, which further increases staffing hours on site. Interviews support regular discussion between facility and agency management and an expectation to resolve identified concerns immediately. Further confirming the agency's expectation is policy 900.00 Staff and Resident Sexual Misconduct that put forth requirements consistent with the standard’s

language. Residents supported the environment is safe, and staff are available. Compliance is based on documentation provided, policy, interviews, and the Auditor's observation during the two-day visit.

Standard 115.215: Limits to cross-gender viewing and searches

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.215 (a)

- Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?
☒ Yes ☐ No

115.215 (b)

- Does the facility always refrain from conducting cross-gender pat-down searches of female residents, except in exigent circumstances? (N/A if the facility does not have female residents.)
☒ Yes ☐ No ☒ NA
- Does the facility always refrain from restricting female residents' access to regularly available programming or other outside opportunities in order to comply with this provision? (N/A if the facility does not have female residents.) ☐ Yes ☐ No ☒ NA

115.215 (c)

- Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches? ☒ Yes ☐ No
- Does the facility document all cross-gender pat-down searches of female residents? (N/A if the facility does not have female residents). ☐ Yes ☐ No ☒ NA

115.215 (d)

- Does the facility have policies that enable residents to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? ☒ Yes ☐ No
- Does the facility have procedures that enables residents to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks? ☒ Yes ☐ No
- Does the facility require staff of the opposite gender to announce their presence when entering an area where residents are likely to be showering, performing bodily functions, or changing clothing? ☒ Yes ☐ No

115.215 (e)

- Does the facility always refrain from searching or physically examining transgender or intersex residents for the sole purpose of determining the resident's genital status? ☒ Yes ☐ No
- If a resident's genital status is unknown, does the facility determine genital status during conversations with the resident, 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? ☒ Yes ☐ No

115.215 (f)

- Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? ☒ Yes ☐ No
- Does the facility/agency train security staff in how to conduct searches of transgender and intersex residents in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☒ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☐ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse
Policy 1.4.5 Searches
Policy 2.4.5 Urine Collection
Training Materials on searches and working with LGBTI residents.
Training attendance records.
Memo on prohibited cross gender searches

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs Random Staff

Random Residents

Indicator Summary determination.

Indicator (a). Brooke House has a policy prohibiting a resident's cross-gender strip or body cavity searches except in an exigent circumstance. Policy 900.00 Staff and Resident Sexual Misconduct states, "CRJ authorizes only one type of body search, a pat frisk." The Auditor was also provided with a copy of the facility search policy (1.4.5 Searches), which had consistent language prohibiting such searches. Interviews with administration, random staff, and residents confirm no strip or body cavity search instances. Because the facility requires urine samples to be observed, the Auditor checked the policy and practice as part of determining compliance. The facility requires the same gender staff to observe the collections of urine samples for drug testing. Policy 2.45 Urine Collection (page 2) requires "Only a staff member of the same sex shall collect urine specimens for analysis from a resident." The Auditor asked random staff-related questions about how this process occurs, including if cross-gender observations would ever occur. Residents interviewed confirmed that the same gender staff always collects urine samples. The agency has also used oral tests with transgender individuals in the past.

Indicator (b). Brooke House serves only male residents.

Indicator (c). Brooke House serves only male residents. CRJ does not allow strip or body cavity searches at its facilities. Page 9 of policy 900.00 confirms it in the section on searches of residents, "Strip searches and body cavity searches are prohibited."

Indicator (d). Community Resources for Justice, Policy 900.00 Staff and Resident Sexual Misconduct, has language that addresses this indicator's requirements. The policy protects residents from being viewed in any state of undress except in incidental view on security rounds. The Policy states, "Residents at the program are able to shower, perform bodily functions, and change clothing without a staff of the opposite gender viewing their buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine room checks." "Staff of the opposite gender announces their presence when entering a resident room or bathroom where residents are likely to be showering, performing bodily functions, or changing clothes. (page 9)." The Auditor observed opposite-gender staff making announcements before entering bedrooms or bathrooms at Brooke House. The Auditor also confirmed with residents that they could shower, use the bathroom facilities, and get changed without the opposite gender staff seeing them. Brooke House residents also supported that all female and most male staff knock and announce before entering resident rooms or bathrooms.

Indicator (e). The Brooke House Director and random staff interviewed confirm they would not search an individual to determine genital status. Policy 900.00 (page 9) states, "Staff are prohibited from searching or physically examining a transgender or intersex resident for the sole purpose of determining the resident's genital status." As noted in indicator a) the facility does not perform any strip searches of clients. The Intake and Release Coordinator reports that if a person's genital status were unknown, they would ask them. Brooke House is a community confinement facility; all admissions are scheduled, and residents' information would likely be obtained in advance. There were no current Transgender individuals in the population in the past year.

Indicator (f). The Community Resources for Justice ensures all staff at Brooke House have been trained in performing cross-gender searches or searches of transgender individuals. Staff report they have been trained to search residents with the back of their hands, be aware of the past trauma the resident might have had, and respectfully communicate with the resident. Random staff confirmed that

they had received the training on searches and were able to describe what they learned. Training records and training materials provided confirm they have received appropriate training. The Agency uses the resources created by the Moss Group available from the PREA Resource Center on cross-gender and transgender searches. The facility also provided examples of update training they provide staff in advance of a transgender individual's admission to further ensure that all staff understand the expectations.

Compliance Determination.

The agency has policies that consistently address the standard requirements (Policies, 1.4.5, 2.4.5, 900.00). Community Resources for Justice have implemented a policy of no strip searches or body cavity searches and no cross-gender pat searches (Policies 1.4.5 and 900.00). The agency and facility management confirm they have been able to manage security issues in a community confinement setting while avoiding more intrusive and potentially traumatic practices of cross-gender searches of any type. Interviews with staff confirm they have been trained how to respectfully search Transgender or Intersex residents. Intake staff confirmed no searches are performed to determine genital status and that strip searches do not occur at Brooke House. Staff knew that transgender or intersex residents should be searched by the gender staff of the individual's preference.

The Auditor finds Brooke House compliant with the standard expectations on limited cross-gender searches or viewing. Staff and residents both confirmed there are no strip searches as a practice and no cross-gender pat searches. The Staff have been provided appropriate training on the search of transgender individuals. The Auditor also confirmed with the residents the agency practice of same-gender staff being present when urine samples are being secured for drug testing. The facility policy, observations of the physical plant, and observations made of staff practice support residents are able to shower, perform bodily functions, and get change without opposite gender staff seeing them.

Residents' support staff provide appropriate notice before entering the bedroom or bathroom areas. The Auditor finds that the standard has been exceeded. All elements required have been met as discussed above; the Auditor believed Brooke House exceeds the standard by creating an environment in which residents feel safe while removing all strip-searches and cross-gender pat searches.

Standard 115.216: Residents with disabilities and residents who are limited English proficient

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.216 (a)

- Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who are deaf or hard of hearing? ☒ Yes ☐ No
- Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who are blind or have low vision? ☒ Yes ☐ No

- Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who have intellectual disabilities? ☒ Yes ☐ No
- Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who have psychiatric disabilities? ☒ Yes ☐ No
- Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Residents who have speech disabilities? ☒ Yes ☐ No
- Does the agency take appropriate steps to ensure that residents with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other? (if "other," please explain in overall determination notes.) ☒ Yes ☐ No
- Do such steps include, when necessary, ensuring effective communication with residents who are deaf or hard of hearing? ☒ Yes ☐ No
- Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? ☒ Yes ☐ No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Have intellectual disabilities? ☒ Yes ☐ No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Have limited reading skills? ☒ Yes ☐ No
- Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with residents with disabilities including residents who: Are blind or have low vision? ☒ Yes ☐ No

115.216 (b)

- Does the agency take 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 residents who are limited English proficient? ☒ Yes ☐ No
- Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? ☒ Yes ☐ No

115.216 (c)

- Does the agency always refrain from relying on resident interpreters, resident readers, or other types of resident assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the performance of first-response duties under §115.264, or the investigation of the resident's allegations?
☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Policy 1.1.6 Intake Process
AT&T Solutions interpretive services
Resident Handbook (Large Print)
Referral Paperwork/ Intake Paperwork
Training records on AT&T interpretive services
Memo for Director on Language Line use
TTY machine

Individuals interviewed/ observations made.

Vice President for Justice Services
Contract Oversight Manager – MA Reentry Programs
Random Staff
Random Residents

Indicator Summary determination.

Indicator (a) Both the PREA Policy (900.00) and the Intake Policy (1.1.6) require the identification of populations who may have difficulty in understanding information. The PREA Policy (pages 6-7) requires facility staff to ensure residents understand, regardless of disability or language barriers, the facility's efforts to maintain a PREA safe environment. This includes how to keep oneself safe, the

facility's zero-tolerance stance, how to report a concern, and how to access treatment. As a Reentry facility, Brooke House receives information in advance about residents with significant medical issues/disabilities or other mental health disorders that may impact PREA scoring. The Intake/Release Coordinator sits with each new resident and screens for any missed medical information or other factors that may impair their understanding of the facility rules, including the zero-tolerance policy toward Sexual Abuse and Sexual Harassment. This screening would help identify those who have comprehension or limited reading ability. The Auditor had the Intake and Release Coordinator describe the steps he takes to provide initial education on PREA as well as the questions being asked as part of the PREA screening process. He explains how he would handle individuals with disabilities or language barriers to ensure comprehension.

The PREA Coordinator confirms the agency can provide written materials to clients in various formats and languages as needed. The Auditor was provided copies of the Resident Handbook in English and Spanish and in large print. The facility also is prepared to support individuals with a range of disabilities and has an ADA-compliant bedroom and bathroom facility. During the tour, the Auditor viewed posted PREA information in multiple languages and confirmed with the residents they have continual access to PREA information as required in 115.233. There were two housing floors where the second language was not posted initially, but this was resolved in the subsequent 24 hours. The program has TTY for individuals who are deaf. The agency's experience supporting individuals with developmental and intellectual disabilities has positioned itself with resources to support clients with those issues and an ability to provide training specific to working with that clientele. The agency provides programming for these populations in another division of the agency. Residents interviewed with physical and cognitive disabilities confirmed there were staff available with whom they could ask and receive assistance in comprehension or accessing any part of Brooke House's efforts to keep them safe from sexual abuse or sexual harassment.

Indicator (b). Brooke House has signage up related to PREA and other important information in both English and Spanish, the most common languages spoken by their population historically. Intake paperwork and handbooks can be translated into multiple languages as needed. The agency has provided access to interpretive services through an online system through a local purveyor of interpretive services. The initial system was not readily available, and staff could not get a translator on the line to complete an interview. The Contract Oversight Manager replaced the existing service with another used at another CRJ facility. The staff were scheduled for a follow-up training subsequent to the audit visit to ensure all staff were made aware. The Day Translation website confirms the resources are available 24 hours per day and the services include over 100 languages supported. The Auditor was able to learn how staff would access the system if needed. The Contract Compliance Manager reported that there have been a limited number of instances where staff have had to use Translation service in the past year. The Auditor was able to confirm with a limited English Proficient resident that he was able to receive the handbook in Spanish and that bi-lingual staff aided in ensuring he understood the program rules and expectations, including the program's Zero Tolerance stance toward sexual abuse and sexual harassment of residents. He acknowledged there were some staff whom he could approach who could aid in their understanding of information.

Indicator (c).

Random staff interviewed confirmed that resident interpreters are not appropriate in any communication about concerns of sexual misconduct. Staff are aware that it is only appropriate to do so in an emergency basis to find out information sufficient to obtain appropriate medical care. Staff were aware of the existence of interpretive services. Training records and materials support the expectation has been made apparent to staff. Policy 900.00 states, "The use of resident interpreters, resident readers, or other types of resident assistants will not be used, except in limited circumstances, where an extended delay in obtaining an effective interpreter could compromise the resident's safety, the

performance of first-responder duties or the investigation of the resident's allegations. In these exceptions or limited circumstances, documentation of all such cases shall be documented."

Compliance Determination

The Auditor finds Brooke House is compliant with the expectations of providing full access to Limited English Proficient (LEP) and disabled residents' ability to benefit from its efforts to prevent, detect, and respond to sexual misconduct. This finding was after the resolution of the interpretive services as the first one did not provide immediate access and staff were not sure on its use. The facility can aid disabled or LEP residents in understanding PREA, how to report a concern, and how to access assistance if one has been a victim. The LEP person confirmed he had received materials in his preferred language. The agency had provided documentation, and the Auditor could see how LEP or disabled individuals could access information on the tour. CRJ's experience with individuals with intellectual and developmental disabilities provides an invaluable resource when individuals with these challenges are admitted. Residents' interviews support staff are available if they are having difficulty in understanding. Staff interviews and training documentation further confirm the staff's ability to aid the residents in all aspects of the facility's effort to have a zero-tolerance, PREA safe environment. The Auditor also took into consideration the local rape crisis agency BARCC who is also prepared to provide counseling service to all individuals who may have hearing or language barriers.

Standard 115.217: Hiring and promotion decisions

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.217 (a)

- Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? ☒ Yes ☐ No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: 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? ☒ Yes ☐ No
- Does the agency prohibit the hiring or promotion of anyone who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? ☒ Yes ☐ No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)? ☒ Yes ☐ No
- Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: 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? ☒ Yes ☐ No

- Does the agency prohibit the enlistment of services of any contractor who may have contact with residents who: Has been civilly or administratively adjudicated to have engaged in the activity described in the question immediately above? ☒ Yes ☐ No

115.217 (b)

- Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with residents? ☒ Yes ☐ No
- Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor, who may have contact with residents? ☒ Yes ☐ No

115.217 (c)

- Before hiring new employees who, may have contact with residents, does the agency: Perform a criminal background records check? ☒ Yes ☐ No
- Before hiring new employees who may have contact with residents, does the agency, consistent with Federal State, and local law: Make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse? ☒ Yes ☐ No

115.217 (d)

- Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with residents? ☒ Yes ☐ No

115.217 (e)

- Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with residents or have in place a system for otherwise capturing such information for current employees? ☒ Yes ☐ No

115.217 (f)

- Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions? ☒ Yes ☐ No
- Does the agency ask all applicants and employees who may have contact with residents directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees? ☒ Yes ☐ No
- Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct? ☒ Yes ☐ No

115.217 (g)

- Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination? ☒ Yes ☐ No

115.217 (h)

- Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
 Hiring/Applicant Tracking System
 Pre-Employment Questionnaire
 Prior Institutional Employer Inquiry form
 Employee handbook
 Human Resources Memo
 Random Staff Files.
 Employee Standard of Conduct
 Personal Touch Catering Background Checks

Individuals interviewed/ observations made.

Vice President of Human Resources and Culture
 Contract Oversight Manager – MA Reentry Programs
 Vice President of Justice Services

Indicator Summary determination.

Indicator (a). The Community Resources for Justice Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) page 2 of the policy addresses the definition of sexual abuse

consistent with the federal definitions. The policy on page 4 addresses this indicator's requirements. "CRJ prohibits hiring or promoting anyone who may have contact with residents and prohibits enlisting the services of any contractor who may have contact with residents, who:

- (1) Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution;
- (2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
- (3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph a., (2) of this section.

CRJ 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 residents".

Using language from the standard, the policy strictly prohibits the employment or contracting the services of individuals who have been convicted of engaging or attempting to engage in, or administratively be adjudicated for sexual assault. Upon hire to Brooke House, all employees have signed a form that directly asks if they have engaged in prohibited behaviors. The *PREA Employment Questionnaire uses language consistent with the standard*. This form is also required to be filled out each time an individual is promoted. Brooke House does not currently hire contractors who have regular contact with residents, nor do they have they had any volunteers. Human Resources Vice President confirms that individuals with past histories described in indicator a) would not be eligible for employment. Any one-time contractor such as completing service repairs reportedly would be supervised by staff while on-site reportedly. These individuals would also be informed about PREA and the residents' right to be free from sexual abuse or sexual harassment. Each employee signs a document confirming that they have not engaged in the conduct described in this indicator. All Brooke House staff must also sign an International Community Corrections Associations (ICCA) Code of Conduct document that further addresses prohibited behaviors with residents. This document includes anti-discrimination language and

Indicator (b). As noted in indicator (a), Brooke House does not contract with individuals who provide direct services to residents. The Human Resources Department for CRJ will review all employees recommended for promotion. It will require the PREA Employee Questionnaire to be completed, followed by a complete Human Resources file review. The Vice President of Human Resources and Culture confirmed if his staff identifies sexual harassment concerns in the staff file, the information would be referred to the Director of Human Resources and the Vice President for Justice Services before a promotional offer would be extended. The Agency is also not so large that the Director of Reentry Programs would not be aware of prior concerns.

Indicator c). Community Resources for Justice policy 900.00 states, "CRJ requires that before any new employee, who may have contact with residents, is hired: (1) a criminal background record checks is conducted, and (2) best efforts are made to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse." The Auditor was provided information supporting all current employees have had an initial criminal background check. The Director was the only individual who did not have an original document available for review. Her documents were destroyed in a flood of CRJ's administrative offices in 2020. The Auditor is aware she has worked in CRJ's federal programs which require the FBOP to complete a background check prior to approving the employment. In addition to the policy, background checks are a funding source requirement. The agency also has in place a system to make inquiries of prior institutional employees. None of Brooke House's current

employees have had prior institutional employment other than individuals who previously worked at other CRJ facilities.

The Vice President of Human Resources and Culture and the contract Oversight Manager committed to the agency's efforts to protect clients by seeking information about previous misconduct. The Agency utilizes a background service to check criminal and employment histories. The service has a PREA specific release they require prospective employees to sign to allow a specific inquiry to past concerns of sexual misconduct. (Prison Rape Elimination Act Questionnaire for Prior Institutional Employers). The Auditor was able to review the content and process map for new employees.

Indicator (d). As noted in indicator (a), Brooke House does not contract with any individual to provide services to the client on-site. Residents seek medical and mental health services in the community. All visitors to the facility are monitored by staff when on site. The facility has one vendor who provides food delivery to the facility daily at the kitchen, who has little to no contact with the clients. The Auditor was provided with documentation that a criminal Background Check had been completed on this individual. He was educated on PREA, the client's rights, and how to report a concern if he sees anything.

Indicator (e). The Community Resources for Justice Policy 900.00 requires all employees and contractors to undergo a criminal background check every five years. The Vice President of Human Resources described for the Auditor how the staff continually reviews staff records to ensure that required timelines as such are met. The Auditor is confident the process was in place to complete the required background checks. The agency has completed the necessary checks on individuals in their other programs when the contract renewal has gone beyond the 5-year window.

Indicator (f). Noted in Indicator (a), all Brooke House employees are asked to complete the PREA Employee Questionnaire. This document asks all prospective employees about the required element in the aforementioned indicator. CRJ had all existing employees complete the form after it was initiated in 2015. The employee signs the form after they read information, including the following: "CRJ shall impose upon employees a continuing affirmative duty to disclose any such misconduct". The Employee Standard of Conduct document also sets forth the requirement that the employee must report any engagement in criminal activity. Staff understood the expectation to report any behavior by themselves or other staff.

Indicator (g). The Community Resources for Justice PREA Employee Questionnaire also contains the following passage: "any material omissions regarding such misconduct, or provision of materially false information, shall be grounds for disqualification from employment or termination." Vice President of Human Resources and Culture confirmed they have not had to fire any individual at Brooke House for any such inaccuracies related to any sexual misconduct.

Indicator (h). CRJ Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) allows the agency to disclose any PREA related concerns with proper releases of information to other institutions. The policy states, "CRJ provides information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work." Interviews with Human Resources staff confirm they make requests of outside employers when hiring; they report they do not frequently receive similar requests for prior employees. A memo from the Acting Human Resource Director confirmed there had been no requests regarding former Brooke House staff in the past year.

Compliance Determination

The Community Resources for Justice is compliant with the hiring and promotion decisions required by PREA. The agency has policies (900.00 and HR hiring policy) in place to address the requirements of the standard, including the screening of individuals for sexual abuse or harassment histories. The agency has all staff working in their Social Justice Services Division undergo criminal background checks. Interviews with the Vice President of Human Resources and Culture was completed in by phone. The interview also limited any chance of cross exposure between facilities of CRJ. The Auditor received electronic copies of random staff files and a chart showing all related records for 14 of the 18 staff positions. The Auditor requested in advance of the on-site visit the following information: dates of hire, original and 5-year background check (if they existed), dates the staff signed acknowledgment on continuing obligation to report the behaviors listed in indicator (a), and if the individual had prior institutional employment. This process allowed the Auditor to select a diverse sample of staff to be reviewed. The process allows the Auditor to confirm the hard documentation of selected files against the previously provided dates when he was on-site. Documentation from the personnel files for Brooke House supported this standard's requirements, including asking employees about past sexual misconduct, responsibilities of continuous disclosure, and consequence for omission or falsification of information. Supporting Brooke House's compliance was the policy language that agreed with the standard's elements, the interview with CRJ Human Resource VP and the agency PREA Coordinator. The Agency has policies, procedures, and practices in place to support ongoing compliance. The Auditor also considered compliance with the CRJ Employee Handbook, which informs individuals about prohibited behaviors and conduct that can lead to discipline or the termination of employment. Interviews with HR and agency and facility administration further support the needed communication and practices are maintained.

Standard 115.218: Upgrades to facilities and technologies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.218 (a)

- If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)
☐ Yes ☐ No ☒ NA

115.218 (b)

- If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect residents from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)
☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire

Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)

Individuals interviewed/ observations made.

PREA Coordinator

Director of Reentry Programs

Contract Oversight Manager – MA Reentry Programs

Brooke House Assistant Director

Indicator Summary determination.

Indicator (a). Brooke House facility has not gone through any major renovations since the last audit that would impact lines of sight or impact client safety. The Director of Reentry Programs has described for the Auditor in detail the steps taken by the agency to renovate any new or existing facility and the importance of doing so with an eye toward client safety.

Indicator (b). The Brooke House has added some new camera angles and monitors since the last PREA audit. The Contract Oversight Manager pointed out the additions as we toured the facility and discussed why they were needed. Discussion with both the Contract Oversight Manager and the Director of Reentry Operations confirmed the agency routinely reassesses physical plant and monitoring technology to protect resident and staff safety.

Compliance Determination

The Auditor finds the standard to be met. Indicator (a) was NA currently, and the information provided on the tour and in interviews support compliance and the agency's stated commitment to ensure a safe environment for residents and staff.

RESPONSIVE PLANNING

Standard 115.221: Evidence protocol and forensic medical examinations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.221 (a)

- If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)
☒ Yes ☐ No ☐ NA

115.221 (b)

- Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) ☒ Yes ☐ No ☐ NA
- Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.) ☒ Yes ☐ No ☐ NA

115.221 (c)

- Does the agency offer all residents who experience sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate? ☒ Yes ☐ No
- Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible? ☒ Yes ☐ No
- If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)? ☒ Yes ☐ No
- Has the agency documented its efforts to provide SAFEs or SANEs? ☒ Yes ☐ No

115.221 (d)

- Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? ☒ Yes ☐ No
- If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if agency *always* makes a victim advocate from a rape crisis center available to victims.) ☐ Yes ☐ No ☒ NA

- Has the agency documented its efforts to secure services from rape crisis centers?
☒ Yes ☐ No

115.221 (e)

- As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews? ☒ Yes ☐ No
- As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals? ☒ Yes ☐ No

115.221 (f)

- If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.) ☒ Yes ☐ No ☐ NA

115.221 (g)

- Auditor is not required to audit this provision.

115.221 (h)

- If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency *always* makes a victim advocate from a rape crisis center available to victims.) ☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's

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

Policies and written/electronic documentation reviewed.

Policy 900.00 Staff and Resident Sexual Misconduct
Police Protocols for evidence collections in sexual assaults.
2017 MA Adult Sexual Assault Law Enforcement Guidelines
Letter from Boston Police.
Letter from Boston Area Rape Crisis Center (BARCC)
Letter from Brigham and Women's Hospital confirming SAFE/SANE Services
PREA Signage (English/Spanish)
MA. Dept Of Public Health website
Website of MA Bureau of Community Health and Prevention. (SANE Training Program)
Websites of Boston Area Rape Crisis Center (BARCC) and Brigham and Women's Hospital

Individuals interviewed/ observations made.

Brigham and Women's Hospital representative
Discussion with BARCC staff
Contract Oversight Manager – Massachusetts Reentry Programs
Coordinated response plan visible in the facility.

Summary determination.

Indicator (a). Criminal Investigations at Brooke House would be the Boston Police Department's responsibility, while administrative investigation would fall under CRJ's purview. Brooke House staff would not be involved in evidence collection but are trained as part of first responder duties to seal off potential crime scenes and instruct potential victims and perpetrators to preserve evidence. The State of Massachusetts sets forth the state protocols for sexual assault cases. The 2017 state guidelines help investigators maximize the collection of evidence that can be used in the prosecution of perpetrators. Topics included in the document included *The Role of the Sexual Assault Investigator and Crime Scene Management and Evidence Collection*. The Massachusetts Department of Public Health also provides the training of all SANE nurses in the state.

Indicator (b). Brooke House would not house any youthful adult inmates. The state has separate guidelines for the sexual assaults of juveniles and adults. The guidelines were developed utilizing the collective effort of some 40 individuals who are experts in legal, criminal, medical, and mental health services. The experts involved in the document's development included a Boston Area Rape Crisis Center representative. (BARCC). Like the national protocol, the document includes both technical aspects of evidence collection with information about working with victims of sexual abuse.

Indicator (c). Brooke House has provided documentation in its Coordinated Response Plan that resident victims are sent to Brigham and Women's Hospital. The Hospital provided documentation confirming staff nurses who are trained as SANE. The Auditor spoke with hospital representatives as well as confirmed SANE availability at the hospital through the state Department of Public Health website. Through interviews and what the website states, the Auditor confirmed that victims of sexual assault are provided service free of charge. The cost is covered by the state's Attorney General's Office through its Victims Compensation funds. If a SANE is not immediately on-site, they can call one in. Policy 900.00 Page 12 sets forth the requirements of using a hospital with SAFE/SANE forensic

examiners. Page 14 of the same policy confirms that resident victims are provided services free of charge no matter if they agree to cooperate with an investigation or not.

Indicator (d) CRJ has entered into a working relationship with the Boston Area Rape Crisis Center or BARCC for short. BARCC is a regionally recognized leader in providing rape crisis services to victims of sexual abuse. The organization was one of the agencies that “contributed significantly” to the revision of the state’s 2017 Adult Sexual Assault Law Enforcement Guidelines. BARCC representatives sit on the Fenway Advisory board in which community and CRJ leadership seek to strengthen community support systems. A letter outlines BARCC’s willingness to work with Brooke House and CRJ’s other Boston facilities. Page 13 of Policy 900.00 Staff and Resident Sexual Misconduct sets forth the agency’s responsibility to provide residents with access to a rape crisis agency. There are no current residents accessing services at BARCC. BARCC can not only provide crisis services and supportive counseling; it also can provide clinical services to individuals struggling with their victimization history.

Indicator (e). A representative of BARCC confirmed they provide support for victims of sexual abuse, including support during forensic exams, investigative interviews, ongoing support services. The agency confirmed they would aid a resident at Brooke House in finding a support network if they move to another area at the time of release. Hospital Staff confirmed its protocol to offer BARCC services to victims of sexual assault. The Brooke House’s Coordinated Response plan requires the Program Supervisor or Case Manager on Duty to notify BARCC to request they come to meet with a victim or meet the victim at Brigham and Women’s Hospital if the client agrees to go for an exam. COVID-19 has impacted some of the efforts to expand resources to the clients onsite at Brooke. BARCC has reportedly provided virtual support to victims during a forensic exam. BARCC can provide scheduled treatment services at their offices when needed.

Indicator (f). The Auditor was presented with a letter from the Boston Police acknowledging the responsibility to investigate sexual assault cases at Brooke House. The Contract Oversight Manager confirmed the Facility Director would be the point of contact if an investigation occurred. The Director was aware of the need to obtain sufficient information to aid any administrative investigation and to ensure proper notifications are made consistent with PREA standards (115.273). The Manager of Reentry Services confirmed the agency has a good working relationship with the Boston Police Department as with three Social Justice Services programs in the city.

Indicator (g). The Auditor is not required to audit this provision

Indicator (h). The agency will make a victim advocate available through BARCC, so the indicator is NA.

Compliance Determination: The Auditor finds Brooke House in compliance with this standard’s expectations. Though the facility does not provide many of the services directly covered in the standard, being in Boston, the required elements are all found in the community. iArea resources include SANE services at several local Hospitals, a major metropolitan police force with significant experience investigating sex crimes, and an active Rape Crisis Agency. In addition to the interviews, the Auditor found information on the state website, which was consistent with the information I received verbally from CRJ management, and the community contacts referenced above. The Auditor took into consideration in determining compliance the random staff knowledge of preserving evidence, the policy, and the available resources in the community.

Standard 115.222: Policies to ensure referrals of allegations for investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.222 (a)

- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse? ☒ Yes ☐ No
- Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment? ☒ Yes ☐ No

115.222 (b)

- Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior? ☒ Yes ☐ No
- Has the agency published such policy on its website or, if it does not have one, made the policy available through other means? ☒ Yes ☐ No
- Does the agency document all such referrals? ☒ Yes ☐ No

115.222 (c)

- If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for conducting criminal investigations. See 115.221(a).) ☒ Yes ☐ No ☐ NA

115.222 (d)

- Auditor is not required to audit this provision.

115.222 (e)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Misconduct
Boston Police Letter confirming Investigation authority
Memo for Program Director on Investigations

Individuals interviewed/ observations made.

Vice President for Social Justice
Contract Oversight Manager – MA Reentry Programs
Agency PREA Coordinator.
Representative of MA Adult Probation (funding Source)
Representative of Suffolk County Sheriff's Office.(Referral Authority)

Indicator Summary determination.

Indicator (a). Brooke House has policies in place to ensure that all reported incidents of sexual abuse or sexual harassment are investigated. Policy 900.00 states, "program staff must report all allegations of sexual abuse or sexual harassment, including third-party and anonymous reports, to the local authorities and all contracting agencies for further investigation" (page16). Interview with staff confirmed they must report all allegations of sexual assault or sexual harassment no matter the source or if they think the allegation is true or not to the Brooke House Director. The staff also were able to describe the process of protecting evidence and documenting the incident. Agency response plans also ensure all allegations are investigated. Interview with the Vice President for Justice Services confirms the expectation, and she reports the agency will involve the PREA Coordinator and other leading individuals in the organization to make sure a thorough review occurs in a timely fashion.

Indicator (b). As noted in indicator (a), the Brooke House and Community Resources for Justice policy require all criminal investigations be referred to the local police. The policy requires funding sources that are part of federal or state penal systems are notified. CRJ would ensure that non-criminal acts would be investigated internally. The agency has provided the training records of 3 individuals who would complete administrative investigations in the Special Investigative training standard. The CRJ policy is available on the Agency website. The Agency PREA Coordinator receives information on all allegations and both he and the Brooke House Director would document the referrals to any outside investigative body. The Brooke House Director or the Contract Oversight Manager would ensure that the funding source would also be immediately aware. The Auditor confirmed there are open lines of communication between the funding agency and the facility as well as between Brooke House and a referring authority.

Indicator (c). Policy 900.00 requires a referral of criminal acts to the local authorities who have the authority to investigate crimes at Brooke House. The letter of agreement from the Boston Police

Department ensures that any PREA related crime at Brooke House will be referred to the criminal investigative unit that investigates sex crimes in the city. The Contract Oversight Manager, who is one of the agency's trained investigators, confirmed the facility would ensure the police investigative officer is aware of the federal requirements on victim notification in PREA. He also reports there would be an expectation to set up regular calls to review the progress of the case. The Assistant Director also confirmed that if an administrative investigation found information that may support a criminal finding, the police would immediately notify.

Indicator (d). The Auditor is not required to audit this provision.

Indicator (e). The Auditor is not required to audit this provision.

Compliance Determination

The Auditor finds that the facility has in place trained staff, who know all allegations must be referred for investigation and how to protect evidence. The facility has four staff associated with the program trained to complete administrative investigations (115.234). The Agency also has provided evidence to support the Boston police department is ready and willing to provide criminal investigative services with individuals from its sexual crime's unit. Finally, the agency in standard 115.221 provided evidence of access to trained forensic examiners at the Brigham and Woman's Hospital. Interviews, documents provided, and the information stated here support a finding of compliance for this standard.

TRAINING AND EDUCATION

Standard 115.231: Employee training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.231 (a)

- Does the agency train all employees who may have contact with residents on: Its zero-tolerance policy for sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with residents on: How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with residents on: Residents' right to be free from sexual abuse and sexual harassment ☒ Yes ☐ No
- Does the agency train all employees who may have contact with residents on: The right of residents and employees to be free from retaliation for reporting sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with residents on: The dynamics of sexual abuse and sexual harassment in confinement? ☒ Yes ☐ No

- Does the agency train all employees who may have contact with residents on: The common reactions of sexual abuse and sexual harassment victims? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with residents on: How to detect and respond to signs of threatened and actual sexual abuse? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with residents on: How to avoid inappropriate relationships with residents? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with residents on: How to communicate effectively and professionally with residents, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming residents? ☒ Yes ☐ No
- Does the agency train all employees who may have contact with residents on: How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities? ☒ Yes ☐ No

115.231 (b)

- Is such training tailored to the gender of the residents at the employee's facility? ☒ Yes ☐ No
- Have employees received additional training if reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa? ☒ Yes ☐ No

115.231 (c)

- Have all current employees who may have contact with residents received such training? ☒ Yes ☐ No
- Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures? ☒ Yes ☐ No
- In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies? ☒ Yes ☐ No

115.231 (d)

- Does the agency document, through employee signature or electronic verification, that employees understand the training they have received? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)

☐ **Does Not Meet Standard** (Requires Corrective Action)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Misconduct
Training Records
Employee sign signature for trainings
NIC and CRJ PREA Courses
Employee Handbook defining Professional Conduct
International Community Corrections Association Code of Ethics

Individuals interviewed/ observations made.

PREA Coordinator
Contract Oversight Manager – MA Reentry Programs
Random Staff

Indicator Summary determination.

Indicator (a). The staff of Brooke House are trained using the same curriculum that other CRJ facilities use. During COVID-19, the new staff received the training virtually from the Agency PREA Coordinator. The Auditor was able to read evaluations from the training stating it was informative and engaging. A review of the PowerPoint presentation and the accompanying exercises shows the 10 topics required were addressed. The topics included 1) a zero-tolerance policy for sexual abuse and sexual harassment 2) the duty to protect, detect and respond to incidents of Sexual Assault or Sexual Harassment 3) the residents right to be free from abuse 4) both the staff and resident right to make a report without fear of reprisal 5) the dynamics of Sexual Abuse in institutions 6) signs and symptoms of a victim of sexual abuse 7) how to act in response to a disclosure of Sexual Assault 8) How to avoid inappropriate situations with residents 9) How to effectively communicate with LGBTI and gender non-conforming residents and 10) what are mandated reporting requirements. Random staff Interviewed were able to give examples of the various elements of the training. In addition to being able to recount the content of the training, the staff confirmed the frequency of the PREA training. They reported additional related training are made available online or provided in a classroom setting, including a separate class on Professional Boundaries and working with LGBTI populations. The Auditor was also provided Policy 900.00 (page 5), which specifically requires the training to cover the elements described in this indicator.

Indicator (b). The PREA training for staff at CRJ addresses how both male and female victims may react and why each gender may engage in sexual misconduct. The Director confirms that if staff came from a female facility, the employee would be reoriented to working in the male Brooke House facility. None of the current staff except the Program Director had transferred in from CRJ's female program. The Program Director had also worked in male environments previously for CRJ. Policy 900.00 (page 5) sets forth the training requirement to address the gender-specific issues for the population the

employee works with. The further policy states additional training will be provided when a staff person is reassigned to a different gender environment than they had previously worked. "Such training shall be tailored to both males and/or female residents (if applicable) at the employee's program. The employee shall receive additional training if the employee is reassigned from a facility that houses only male residents to a facility that houses only female residents, or vice versa."

In addition to formalized PREA training staff have access to other related coursework. In the review of staff records, there were cultural competency courses, a Boundaries and Diversity course, Code of Ethics training.

Indicator (c). Brooke House employees are all trained in the ten items required in indicator (a) upon hire and at a minimum of every other year. CRJ staff participates in other PREA related topics at a minimum of once per year. CRJ also provided annual training on searches, ethics, boundaries, and working with diverse populations as noted in indicator (b). Staff interviewed supported that PREA training and related topics occur yearly. Training records were provided to the Auditor to support the ongoing training has happened in addition to the file reviews.

Indicator (d). Employees completed Zoom training this past year and were required to complete an exam and a survey to ensure materials were understood. The staff attendance at the training is included in the information provided to the Auditor. All employees confirmed they had taken the Zoom class to date and the Auditor was provided with electronic confirmations. Employees knew who to speak with if they were not sure of any of the information provided in training.

Compliance Determination

The Auditor finds Brooke House is compliant with the requirements of this standard. Compliance is based on the materials presented relating to the training consistent with indicator (a). The agency provided documentation of all employees' original PREA training and ongoing training in training rosters, NIC certificates, and Human Resource records. Training dates were provided for all employees who were hired at Brooke House in the last two years. The training records for individuals who were employed during 2021 was also provided. The final factor given consideration in determining compliance was the random staff interviews. Staff spoken with were able to relate the information they learned as part of the agency training, including examples of all ten elements covered in the indicator (a). The staff reported to the Auditor the training was effective; this was evident by the knowledge staff were able to relate back information to the Auditor.

Standard 115.232: Volunteer and contractor training

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.232 (a)

- Has the agency ensured that all volunteers and contractors who have contact with residents have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures? ☒ Yes ☐ No

115.232 (b)

- Have all volunteers and contractors who have contact with residents been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and

contractors shall be based on the services they provide and level of contact they have with residents)? ☒ Yes ☐ No

115.232 (c)

- Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
PREA Training PowerPoint
Documentation of Contractor education
Contractor/ Visitor log showing PREA information provided

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
Sign-in logs at the front desk

Summary determination.

Indicator (a). Brooke House does not contract for an individual to provide direct services to their residents. Because of COVID, there have been no interns in over a year and no volunteers currently. Policy 900.00 (page 6) sets forth that all individuals who have contact with residents have some level of education on the agency's Zero tolerance expectation and the efforts to prevent, detect and respond to sexual assault and sexual harassment claims.

The Contract Oversight Manager confirms that when the facility has volunteers with routine resident contact, they must meet with an administrator for PREA education. Visitors who are one-time or not routine are provided the PREA brochure, which tells them about PREA and ways to report concerns. The Visitor is requested to sign for the receipt of information. The Auditor was provided this same material upon entry to the facility. I requested the brochure in Spanish, and the staff could also provide that copy.

Indicator (b). Page 6 of CRJ's Policy 900.00 states, "All volunteers and contractors shall have at least been notified of the agency's zero-tolerance stance regarding sexual abuse and sexual harassment and informed how to report such incidents." The Contract Oversight Manager reports and material presented confirmed that one-time visitors like the Auditor are given a PREA Brochure upon entry as part of the signing-in process. Individuals providing more frequent visits who have contact with residents get a more formal discussion about PREA with an administrator. When they have interns, the individuals receive the full PREA training course like any new employee. The Auditor also asked the procedural expectations of informing the visitor about PREA to Program Monitoring on different shifts over the two-day sign visit.

Indicator (c). All visitors are required to be registered at the front desk. Documents were provided that all contractors are provided information about PREA. The facility administration educates volunteers who provide services on PREA. Policy 900.00 page 6 states, "The program shall maintain documentation confirming that volunteers and contractors understand the training they have received." Due to COVID-19, there are no Interns or volunteers in the facility.

Compliance Determination

In policy 900.00, Community Resource for Justice addresses the standard language expectations. The facility does not employ any contracted staff that provide direct services to the clients of Brooke House. The Contract Oversight Manager confirmed the dates in which the facility had been closed to outside visitors to protect residents from COVID-19 exposure. As a result, there is limited documentation to be reviewed. Absent any contracted staff or Volunteer, the information provided to the Auditor, staff knowledge of the normal practice, and the interviews all support a determination of compliance.

Standard 115.233: Resident education

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.233 (a)

- During intake, do residents receive information explaining: The agency's zero-tolerance policy regarding sexual abuse and sexual harassment? ☒ Yes ☐ No
- During intake, do residents receive information explaining: How to report incidents or suspicions of sexual abuse or sexual harassment? ☒ Yes ☐ No
- During intake, do residents receive information explaining: Their rights to be free from sexual abuse and sexual harassment? ☒ Yes ☐ No
- During intake, do residents receive information explaining: Their rights to be free from retaliation for reporting such incidents? ☒ Yes ☐ No
- During intake, do residents receive information regarding agency policies and procedures for responding to such incidents? ☒ Yes ☐ No

115.233 (b)

- Does the agency provide refresher information whenever a resident is transferred to a different facility? ☒ Yes ☐ No

115.233 (c)

- Does the agency provide resident education in formats accessible to all residents, including those who: Are limited English proficient? ☒ Yes ☐ No
- Does the agency provide resident education in formats accessible to all residents, including those who: Are deaf? ☒ Yes ☐ No
- Does the agency provide resident education in formats accessible to all residents, including those who: Are visually impaired? ☒ Yes ☐ No
- Does the agency provide resident education in formats accessible to all residents, including those who: Are otherwise disabled? ☒ Yes ☐ No
- Does the agency provide resident education in formats accessible to all residents, including those who: Have limited reading skills? ☒ Yes ☐ No

115.233 (d)

- Does the agency maintain documentation of resident participation in these education sessions? ☒ Yes ☐ No

115.233 (e)

- In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to residents through posters, resident handbooks, or other written formats? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire

Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)

Policy 1.1.6 Intake Process

Client files

Individuals interviewed/ observations made.

Random Resident

Targeted Residents

Summary determination.

Indicator (a). Agency policy and Brooke House practice support all residents are provided PREA Education upon admission. They are educated on the client handbook, including PREA information, the facility's Zero Tolerance for sexual misconduct, and a PREA Brochure. The Intake and Release Coordinator has the residents sign for the education they receive. The forms can be provided in multiple languages. The Auditor was provided a Resident handbook, PREA brochure, and the PREA education acknowledgment form in English and Spanish, the two most common languages spoken. Resident interviews support they know several ways they could report PREA concerns, that they would be protected from retaliation, and that being free from abuse is their right. Policy 900.00 provides specific information on the content of resident education and residents support they are provided information about PREA in the first hours in the facility. Within three days after the initial intake, the facility case management staff provides full orientation to the program, including a second review of the PREA information. The Policy states, "As part of orientation for residents during intake, staff will communicate PREA information verbally and in writing, in a manner that is clearly understood by residents. Information will include but is not limited to:

- Presentation of this policy
- Resident Grievance process
- CRJ's zero-tolerance stance
- Self-protection methods (see Section C., 8., Prevention)
- Prevention and intervention
- treatment and counseling
- Reporting incidents
- Protection against retaliation
- Consequences of false allegations

b. Staff shall make every resident aware of PREA and the program's zero-tolerance stance prohibiting sexual contact, sexual abuse between residents or between residents and staff while at the program.

c. Staff shall communicate to residents the definitions of sexual abuse and sexual harassment violations, and information on the various reporting mechanisms for residents who believe they are a victim of or witness to this behavior.

(1) Residents will be informed about the multiple ways to privately report sexual abuse and sexual harassment, retaliation by other residents or staff for reporting such behavior and staff neglect or violation of responsibilities that may have contributed to such incidents.

d. Staff shall distribute to each resident a Resident Handbook, which includes the above information in language easily understood by residents. Staff shall also orient the residents to the section of the Handbook which discusses disciplinary sanctions for residents who intentionally make false allegations."

Indicator (b). The Brooke House facility does not routinely receive or transfer residents to or from other CRJ facilities. Most residents have had prior education about PREA in other state, or county correctional centers. According to the Intake and Release Coordinator, Brooke House's education occurs no matter where the individual is coming from, be it the community, a correctional center, or another CRJ program.

Indicator (c). The Auditor received PREA materials in 2 languages. The facility has translation services to aid limited English proficient and a TTY for those with a hearing disability. Individuals with visual impairments can get larger print materials. A resident with a cognitive disability confirmed there are enough staff available that someone can help you if you have trouble reading. Policy 900.00 requires "These residents (LEP and Disabled) are provided equal opportunities to participate in or benefit from all aspects of CRJ's efforts to prevent, detect, and respond to sexual abuse and sexual harassment." The Intake and Release Coordinator discussed with the Auditor on steps taken to ensure individuals with disabilities or language barriers comprehend the information provided.

Indicator (d). Each resident's PREA Intake Orientation Sheet is signed and dated by the resident in a paper format that is then placed in their file. The Auditor reviewed a sample of twelve current and six prior resident forms. Resident interviews randomly confirmed that the orientation process occurs in most cases within the first 24 hours of admission. The Auditor also had the intake and Release Coordinator explain the process he uses to educate all new admissions.

Indicator (e). The Auditor confirmed that residents had handbooks, brochures, and postings (English and Spanish) about PREA and how to report a concern on each level of the facility. As noted earlier two floors lacked Spanish posting but were resolved before the end of the audit. Resident all have access to the information about PREA on the main floor of the facility. Resident interviews support they were aware of the information even if they said they were not worried about PREA. Residents also supported that there were staff who were both approachable and willing to help residents who might not understand the information provided in written formats.

Compliance Determination

The Auditor has determined Brooke House is meeting the standard expectation in policy, practice, and documentation. The random resident interviews supported all residents of Brooke House are provided education related to PREA. Resident interviews supported they know the zero-tolerance expectation toward sexual abuse or sexual harassment. The random residents confirmed that intake staff also educated them on how to report a concern and community-based services for those with victimization histories. Residents confirmed they did receive the information in a timely basis upon arrival. Two policies, Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) (pages 6-7), address residents' requirements of education on PREA. Materials are available in more than one language, and the staff were aware of the translation services available. Residents support they understand their rights under PREA and know where to turn for information if needed. The Auditor also considered the documents found in client files consistent with policies supporting PREA education has occurred in determining compliance.

Standard 115.234: Specialized training: Investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.234 (a)

- In addition to the general training provided to all employees pursuant to §115.231, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).)
☐ Yes ☐ No ☐ NA

115.234 (b)

- Does this specialized training include: Techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).) ☐ Yes ☐ No ☐ NA
- Does this specialized training include: Proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).) ☒ Yes ☐ No ☐ NA
- Does this specialized training include: Sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).) ☒ Yes ☐ No ☐ NA
- Does this specialized training include: The criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).)
☒ Yes ☐ No ☐ NA

115.234 (c)

- Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.221(a).)
☒ Yes ☐ No ☐ NA

115.234 (d)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire

Reviewed the NIC training on Investigating Sexual Assaults in a Correctional setting

Certificates of CRJ staff who have completed the training

Individuals interviewed/ observations made.

Staff trained investigating sexual assault or sexual harassment claims

Contract Oversight Manager – MA Reentry Programs

Summary determination.

Indicator (a). Brooke House and CRJ would not be responsible for completing criminal investigations. The Boston Police Department would have the primary responsibility for completing criminal investigations at Brooke House. The funding source and referring authority of the clients involved will be informed of any PREA related investigations. The agency has trained ten staff in completing an administrative investigation in a reentry facility. The agency has used the NIC training on investigating sexual assault in a confinement setting.

Indicator (b). The NIC training provides the individual with the required content of the standard indicator. The information includes interviewing techniques with victims of sexual abuse, how to provide a Garrity or Miranda warnings, the importance of sexual abuse evidence collection in a confinement setting, and the factors used in substantiating a finding in an administrative or criminal case. The Auditor reviewed the NIC course to ensure the course content met the standards obligations. As a private agency Garrity does not apply, and the agency staff would only be responsible for conducting an administrative investigation. Investigative staff interviewed were aware if an administrative investigation unveiled a potentially criminal act, the event is immediately referred to the police. The investigative staff are aware of the importance of working communication with the local police to ensure the administrative investigation does not impede the criminal investigation.

Indicator (c). The Community Resources for Justice has provided the Auditor with the certificates supporting the training of investigators. The Agency has 4 staff who would be able to complete investigations at Brooke House (Brooke House Director, Contract Oversight Manager, PREA Coordinator and Director of Reentry Programs). The individuals have completed the training, and the Auditor reviewed the certificates (Investigating Sexual Assault in a Confinement Setting) of the 4 individuals most likely involved in a PREA investigation at Brooke House. The New Assistant Program Director will take the course soon I am told. The Auditor's interview with the Contract Oversight Manager trained in investigation support he understands key aspects of the training related to indicator b). The investigators from CRJ would only be responsible for completing an administrative investigation of staff misconduct or investigations of client-on-client incidents that are clearly not criminal in nature.

Indicator (d). The Auditor is not required to audit this provision.

Compliance Determination

The Auditor finds Brooke House compliant with the standard requirements. In determining compliance, the Auditor took into consideration the materials provided in the NIC course. The Auditor also used the certificates provided as proof of training. The Auditor considered the interviews with the Contract Oversight Manager, Director of Reentry Programs, and the agency's PREA Coordinator, all who received the NIC training. The Assistant Director is relatively new in her position so will be next to take the PREA Investigator training. The Director of Reentry Programs is a former metropolitan police Detective with over 20 years of law enforcement and an internal resource for the facility leadership on investigative practices. He will review all investigations for thoroughness. Absent any criminal investigations, the Auditor relied on agency policy, the NIC training materials, and the staff interviewed knowledge of the agency investigator in determining compliance. The investigator understood the importance of preserving evidence, how to communicate with victims of recent trauma, how communication with the Boston police would be maintained, and how to determine a finding.

Standard 115.235: Specialized training: Medical and mental health care

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.235 (a)

- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)
☐ Yes ☐ No ☒ NA
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.) ☐ Yes ☐ No ☒ NA
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.) ☐ Yes ☐ No ☒ NA
- Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in: How and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)
☐ Yes ☐ No ☒ NA

115.235 (b)

- If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency does not employ medical staff or the medical staff employed by the agency do not conduct forensic exams.)
☐ Yes ☐ No ☒ NA

115.235 (c)

- Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.) ☐ Yes ☐ No ☒ NA

115.235 (d)

- Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.231? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.) ☐ Yes ☐ No ☒ NA
- Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.232? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.) ☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire

Individuals interviewed/ observations made.

None

Indicator Summary determination.

Indicator (a). The indicator is NA. Brooke House does not employ any medical or mental health staff.

Indicator (b). The indicator is NA. Brooke House does not employ any medical or mental health staff.

Indicator (c). The indicator is NA. Brooke House does not employ any medical or mental health staff.

Indicator (d). The indicator is NA. Brooke House does not employ any medical or mental health staff.

Compliance Determination

All indicators do not apply as Brooke House does not employ any medical or mental health staff. The Auditor confirmed with the facility Director that residents can access the required services in the area. The Auditor also attempted to speak with a variety of community agencies in determining compliance. Hospital staff confirmed the capacity of client victims to receive follow-up services at the hospital and when needed referrals to specialists. The Brigham and Women's Hospital has SAFE-trained hospital staff who can provide SAFE/SANE services in sexual abuse victims. The Brigham and Women's Hospital is one of several Boston Area hospitals with SAFE/SANE services.

SCREENING FOR RISK OF SEXUAL VICTIMIZATION AND ABUSIVENESS

Standard 115.241: Screening for risk of victimization and abusiveness

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.241 (a)

- Are all residents assessed during an intake screening for their risk of being sexually abused by other residents or sexually abusive toward other residents? ☒ Yes ☐ No
- Are all residents assessed upon transfer to another facility for their risk of being sexually abused by other residents or sexually abusive toward other residents? ☒ Yes ☐ No

115.241 (b)

- Do intake screenings ordinarily take place within 72 hours of arrival at the facility?
☒ Yes ☐ No

115.241 (c)

- Are all PREA screening assessments conducted using an objective screening instrument?
☒ Yes ☐ No

115.241 (d)

- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has a mental, physical, or developmental disability? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The age of the resident? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The physical build of the resident? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has previously been incarcerated? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident's criminal history is exclusively nonviolent? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has prior convictions for sex offenses against an adult or child? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the resident about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the resident is gender non-conforming or otherwise may be perceived to be LGBTI)? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: Whether the resident has previously experienced sexual victimization? ☒ Yes ☐ No
- Does the intake screening consider, at a minimum, the following criteria to assess residents for risk of sexual victimization: The resident's own perception of vulnerability? ☒ Yes ☐ No

115.241 (e)

- In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse? ☒ Yes ☐ No
- In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses? ☒ Yes ☐ No
- In assessing residents for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse? ☒ Yes ☐ No

115.241 (f)

- Within a set time period not more than 30 days from the resident's arrival at the facility, does the facility reassess the resident's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening? ☒ Yes ☐ No

115.241 (g)

- Does the facility reassess a resident's risk level when warranted due to a: Referral?
☒ Yes ☐ No
- Does the facility reassess a resident's risk level when warranted due to a: Request?
☒ Yes ☐ No
- Does the facility reassess a resident's risk level when warranted due to a: Incident of sexual abuse? ☒ Yes ☐ No
- Does the facility reassess a resident's risk level when warranted due to a: Receipt of additional information that bears on the resident's risk of sexual victimization or abusiveness?
☒ Yes ☐ No

115.241 (h)

- Is it the case that residents are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section? ☒ Yes ☐ No

115.241 (i)

- Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the resident's detriment by staff or other residents? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Policy 1.1.6 Intake Process
Brooke House case files
Brooke House case notes

Individuals interviewed/ observations made.

PREA Coordinator
PREA Manager
Intake and Release Coordinator

Indicator Summary determination.

Indicator (a). All residence admitted to Brooke House are direct admissions from the community or state or county correctional centers. Transfer within the CRJ system would be rare and require the approval of the funding source. Policy 900.00 requires all admissions to be screened upon admission. "All residents arriving at the program shall be assessed during an intake screening (and upon transfer to another facility) for their risk of being sexually abused by other residents or sexually abusive toward other residents, using the PREA Possible Victim/Predator Screening and Scoring Checklist." The Auditor reviewed files of 6 clients admitted in one year prior and file of 10 current admissions. All files reviewed confirmed that the clients were screened at admission on their risk of victimization or perpetrating behaviors.

Indicator (b). The Auditor reviewed admissions over the previous year. All files reviewed showed screenings were completed in the first 48 hours after the resident was admitted. Residents interviewed confirm they meet with the intake coordinator who asked questions related to PREA consistent with the required element. Resident report a clear understanding of PREA and related prior education provided during their stay in state or county correctional centers.

Indicator (c). The PREA screening tool used in all CRJ facilities is broken into two sections, one looking at victimization potential and the other looking at predatory behaviors. All residents are scored with the designation as either a known victim, a potential victim, or a non-victim. Similarly, all residents are given a designation as a known predator, a potential predator, or a non-predator. The Auditor reviewed with the Intake and Release Coordinator the process by which the tool is completed. During the screening process, residents are asked a series of questions that cover the standard's requirements. Depending on the resident's answers, direct observation, and information obtained through the file, the screener scores each category either yes or no. Utilizing the number of yes answers in each section determines the resident's level of risk of being a victim or perpetrator of sexual violence. Information from the scoring is then used to determine the most appropriate housing given the current population makeup, offer referrals for treatment, and when approved for work, the case management team will consider how scoring might impact vocational opportunities.

Indicator (d). The Intake and Release Coordinator confirmed, consistent with policy 900.00 and the CRJ screening tool, elements of indicator d) are all considered in determining a score. The following elements are included: if the resident has been a prior victim of rape or sexual assault in an institution, if they are significantly younger or older than the current population, if the physical stature of the

individual is smaller than the average population, if the individual has any developmental or mental health issues, if the resident is (or is perceived to be) LGBT or gender non-conforming, has a prior history of sexual abuse, has a prior history of engaging in sexual acts in prison, has a history of protective custody and finally, if the resident perceives that he or she would be at risk in the institution.

Indicator (e). The PREA Screening tool also looks for predatory factors, including a history of predatory sexual behaviors in prison, a history of physical or sexual abuse toward adults or children, a current gang affiliation, a history of consensual sex in institutions, and a history of violent criminal behavior.

Indicator (f). Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) sets forth on page 8, requiring all residents are reassessed within 30 days. At Brooke House, the Intake and Release Coordinator does both the initial and reassessments of all residents. The reassessments are completed with the assistance of information obtained by the case management staff. Weekly case review team meetings allow for additional information be communicated about the client's progress in the environment. Case management staff routinely ask residents about their perception of safety which is documented in the Secure Manage casefile. The auditor found that all cases reviewed on site

Indicator (g). The PREA Coordinator, facility administrators, and the Intake and Release Coordinator are aware that reassessments should occur whenever appropriate information is obtained that might impact a resident's scoring. Reasons for additional screenings can be new information that has been obtained supporting aggressive or victimization histories, behavioral observations, or actual incidents related to sexual abuse or sexual harassment in the facility. Though there have not been any situations where additional Information or client behaviors have required any additional reassessments, screening staff and case management staff spoken with were aware of when to perform reassessments. The aggressors in the substantiated sexual harassment cases in the past year were removed before a reassessment would have been completed.

Indicator (h). The Auditor confirmed with an Intake and Release Coordinator that at no time would residents be disciplined for failing to answer questions related to their physical or mental disabilities, their victimization history, their sexuality, or being perceived as LGBTI. Policy 900.00 also states (on page 8) that residents' failure to answer or to disclose the aforementioned topics would not result in discipline. Residents interviewed also felt they would not be punished for being less than accurate about their prior abuse history. Agency has provided staff with additional information on how to ask residents questions, including their sexual orientation and victimization histories.

Indicator (i). Through interviews with the PREA Coordinator and the Intake and Release Coordinator, the Auditor confirmed that PREA sensitive information used in the scoring process is kept confidential. The Intake and Release Coordinator, Program Director and Assistant Director, are the individuals with access to a client's scoring reasoning. Residential Counselors would not have access to anything more than the resident's scoring classification to ensure known or potential victims are kept from known or potential aggressors.

Compliance Determination

The Auditor found the standard to be compliant with expectations. This conclusion was made based on a review of 16 client files at Brooke House, including former and current clients. The screening instrument provided an objective scoring process, and the individuals charged with administering it were consistent with the policy on the description of scoring and security of information. The Auditor reviewed case files to confirm the screenings' timeliness and confirmed the screening process was

applied consistent with the described procedures. The agency had retrained staff in late 2020 on screening tools use after determining one element was not specifically addressed. As a result of the interview with staff, trainings completed, completed scoring forms, and interviews with residents that support screening and reassessments occur, the Auditor has determined compliance.

Standard 115.242: Use of screening information

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.242 (a)

- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments? ☐ Yes ☐ No
- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments? ☒ Yes ☐ No
- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments? ☒ Yes ☐ No
- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments? ☒ Yes ☐ No
- Does the agency use information from the risk screening required by § 115.241, with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments? ☒ Yes ☐ No

115.242 (b)

- Does the agency make individualized determinations about how to ensure the safety of each resident? ☒ Yes ☐ No

115.242 (c)

- When deciding whether to assign a transgender or intersex resident to a facility for male or female residents, does the agency consider on a case-by-case basis whether a placement would ensure the resident's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns residents to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)? ☒ Yes ☐ No
- When making housing or other program assignments for transgender or intersex residents, does the agency consider on a case-by-case basis whether a placement would ensure the

resident's health and safety, and whether a placement would present management or security problems? ☒ Yes ☐ No

115.242 (d)

- Are each transgender or intersex resident's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments? ☒ Yes ☐ No

115.242 (e)

- Are transgender and intersex residents given the opportunity to shower separately from other residents? ☒ Yes ☐ No

115.242 (f)

- Unless 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 lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: lesbian, gay, and bisexual residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.) ☒ Yes ☐ No ☐ NA
- Unless 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 lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: transgender residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.) ☒ Yes ☐ No ☐ NA
- Unless 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 lesbian, gay, bisexual, transgender, or intersex residents, does the agency always refrain from placing: intersex residents in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I residents pursuant to a consent decree, legal settlement, or legal judgement.) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Policy 1.1.6 Intake Process
Resident casefiles

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
PREA Coordinator
Intake and Release Coordinator
Random Residents
Random Staff

Summary determination.

Indicator (a). The Brooke House administration uses the PREA Screening information to inform housing/ bed assignments and recommendations for treatment or vocational decisions. Brooke House does not provide any educational services. The facility uses screening information to identify which bedroom is most appropriate for the resident. The facility will not put known or potential victims in the same sleeping space as those who are known or potential perpetrators of sexual violence. As the program has multiple floors, residents can be provided further separations in the open environment. Residents with prior histories of sexual violence may be required to attend specific treatment if required by the referring authority. Case management staff and employment staff will use screening information to ensure victims and perpetrators are not employed at the same location. Agency policy 900.00 states, "The program uses information from the PREA Possible Victim/Predator Screening and Scoring Checklist to inform housing, bed, work, education, and program assignments with the goal of keeping separate those residents at high risk of being sexually victimized from those at high risk of being sexually abusive. The program makes individualized determinations about how to ensure the safety of each resident."

Indicator (b). Brooke House's Intake and Release Coordinator is responsible for utilizing the screening information to provide the most appropriate housing in each population. The screening instrument helps identify parameters that ensure potential victims are not housed with individuals prone to perpetration. Residents can be moved when needed to ensure the most comfortable setting is possible. All moves of rooms would be approved through facility leadership, who would have knowledge of risk screening results. If needed, the facility can create single-room-only situations that could be used in transgender or intersex residents' housing. As noted in indicator (a) policy, 900 sets forth an expectation of individualized planning based on individual residents' needs. With different housing floors and rules preventing residents from going in other rooms, the facility can separate individuals who may be likely victims from those with aggressive histories or histories of sexual relationships in an institution.

Indicator (c). Policy 900.00 states, “The program makes housing and program assignments for transgender or intersex residents in the facility on a case-by-case basis considering whether a placement would ensure the resident's health and safety, and whether the placement would present management or security problems.” In the past three years, the facility has housed one transgender individual. Records and staff interviews support the individuals was housed consistent with their preference. Discussions with agency and facility leaderships confirm that they have considered how to handle a transgender or intersex resident referral. If the individual is known at the time of referral as transgender or intersex, discussions can be had to understand the resident's housing needs, history of request in previous institutional settings and provide them a description of the facility's plan to accommodate them. The Auditor spoke with an individual who described themselves as gender fluid. This individual reported they were housed consistent with how they wanted to be perceived in the house. The Intake and Release Coordinator confirmed as a Reentry facility; they receive information on the clients in the referral packet.

Indicator (d). Transgender and intersex residents entering Brooke House would be asked about their feelings of safety and where they would feel more comfortable being housed. Page 8 of Policy 900.00 states, “A transgender or intersex resident's own views with respect to his or her (if applicable) own safety shall be given serious consideration.” CRJ and Brooke House management staff confirmed that a short time after admission, transgender or intersex residents would be met with to discuss their needs as it relates to providing a comfortable setting from which they can participate in the program. It was reported the facility met with the transgender clients individually to determine what was needed to support their feeling safe in the environment both before placement and in the first days after arrival. The facility has not had a transgender individual in the past year. The facility described different steps taken to accommodate both the individual's disability and their needs as a transgender individual. The Auditor recommended the agency become familiar with area support groups for the LGBTI community. The facility has not had a transgender or intersex individual in the past three years.

Indicator (e). Transgender or intersex residents referred to Brooke House would be housed in one of the smaller rooms to provide the most significant privacy level. The facility population allows flexibility to accommodate residents with ADA needs as well as transgender. The ADA bedroom on the first floor with its own bathroom. Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) (page 9) ensure the resident's ability to shower and change by themselves. Policy states, “transgender and intersex residents will be given the opportunity to shower separately from other residents.”

Indicator (f). Brooke House does not use an individual's LGBTI status as a mechanism to place all similar status individuals together. There is no state law in Massachusetts requiring the housing of LGBTI individuals together. Policy 900 0.00 prohibits this practice (page 8), “The placement of lesbian, gay, bisexual, transgender, or intersex residents in dedicated units, or wings solely on the basis of such identification or status, (unless such placement is in a dedicated unit or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such residents) is prohibited.” LGBTI residents confirm that they are not housed based on their identification. Random staff interviews and interviews with the Intake and Release Coordinator who assigns rooms also support that LGBTI clients would not be segregated from the population. The Auditor could not compare the population vs. assignments since there was no LGBTI population in Brooke House at the time of the audit.

Compliance Determination

Compliance determination is based on policy language, interviews with screening staff, and case files review. In determining compliance in indicator (f), random staff and residents who identify as LGBT confirmed inappropriate housing practices were not utilized. The facility did not currently house any transgender or intersex residents; as such, interviews with these populations could not occur. Interview with the Brooke House Director supports they utilize the screening information to protect all residents from sexual assault or sexual harassment. Interviews confirm there are weekly case management review meetings where key elements of the screening information or observations of the client's behaviors in the environment are discussed if it impacts screening results. File reviews support screening information is used for housing (including bed assignments), treatment referrals, and employment search when appropriate. If there is a conflict between residents, the Auditor confirmed, bed reassignments must be made by the Director, Assistant Director or the Intake and Release Coordinator. This process ensures victims and perpetrators are not together and ensures information about client dynamics learned in weekly case reviews are also considered. The Auditor has made suggested improvements in documentation to ensure elements around treatment and work are documented in a more consistent process in the client file. In determining compliance, the Auditor relied on the facility's thought process for handling future transgender residents, interviews with current residents and staff, and the agency and facilities administration stated expectations.

REPORTING

Standard 115.251: Resident reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.251 (a)

- Does the agency provide multiple internal ways for residents to privately report: Sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency provide multiple internal ways for residents to privately report: Retaliation by other residents or staff for reporting sexual abuse and sexual harassment? ☒ Yes ☐ No
- Does the agency provide multiple internal ways for residents to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents? ☒ Yes ☐ No

115.251 (b)

- Does the agency also provide at least one way for residents to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency? ☒ Yes ☐ No
- Is that private entity or office able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials? ☒ Yes ☐ No
- Does that private entity or office allow the resident to remain anonymous upon request?
☒ Yes ☐ No

115.251 (c)

- Do staff members accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties? ☒ Yes ☐ No
- Do staff members promptly document any verbal reports of sexual abuse and sexual harassment? ☒ Yes ☐ No

115.251 (d)

- Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of residents? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
PREA Posters
Brooke House Handbook

Individuals interviewed/ observations made.

PREA Coordinator
Contract Oversight Manager – MA Reentry Programs
Postings up in the facility

Indicator Summary determination.

Indicator (a). The Community Resources for Justice and the Brooke House facility provide the residents with multiple ways to report sexual harassment, sexual abuse, retaliation, or the neglectful acts of staff that could contribute to such harassment or abuse. Policy 900.00 (page 15) utilizes the standard indicator's language setting forth the expectation. "The program shall provide multiple internal ways for residents to privately report sexual abuse and sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents." Facility brochures, posters, and residents

confirm they can tell any staff person, any facility administrator, or the Agency PREA Coordinator. The Auditor confirmed with both resident and staff in interviews on the multiple internal ways an individual may report a concern. Residents were able to give multiple examples, knew they could make anonymous reports, and make reports on behalf of other residents. The Auditor also tested the agency's reporting system noted on their website for making complaints to the agency PREA Coordinator, which could include anonymous or third-party reports. Sexual Safety was not a reported concern of the residents of Brooke House. They report they would tell staff if they were a victim and were aware of the multiple other avenues, including local Police or their Probation Officer. Residents are provided information in their orientation to Brooke House, through their handbook, on posters throughout the facility, and on the CRJ website.

Indicator (b).

Historically the agency had used a local advocacy organization as an alternative reporting resource. During the Audit of another CRJ facility, the Auditor reviewed with the PREA Coordinator the frequently asked questions (FAQ) from the PREA Resource Center as a potential concern. Brooke House modified its option for reporting a concern to the Massachusetts Department of Corrections PREA Office. The information is posted in the facility, and the resident interviews supported knowledge of this reporting option. Policy language also addresses the indicator, "The program also shall inform residents of at least one way to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency and that is able to receive and immediately forward resident reports of sexual abuse and sexual harassment to agency officials, allowing the resident to remain anonymous upon request." The residents also knew they could report to local law enforcement authorities or their probation officer.

Indicator (c). Policy 900.00 requires all staff to accept a report of sexual abuse, sexual harassment, or concerns of retaliation from any resident or third party and to report them to the supervisor and document the information. Interviews with random staff confirm that they know they must receive and document an allegation of sexual misconduct, no matter the source, immediately.

Indicator (d). CRJ provides the staff of Brooke House with multiple ways in which a staff person can report a concern about PREA in the facility. As noted in the previous indicator, staff interviews confirmed they could go outside the chain of command if they felt they needed to without cause. Staff recognized they could report a concern directly to the Brooke House Director, the Contract Oversight Manager, the agency PREA Coordinator, the Director of Reentry Programs, or to the Human Resources Department.

Compliance Determination

The Auditor finds the standard is compliant based on policy language, client and staff knowledge of reporting options, educational material, agency website, handbook, and posters observed in the facility. The agency and facility have put in place multiple avenues for staff and residents to report concerns of sexual misconduct. The agency PREA Coordinator also confirmed there were no hotline calls from a resident or third-party individual on the Brooke House. Interviews with residents, staff, and agency administration supported the necessary resources were in place to ensure a timely response. Most residents confirmed they would go to a staff they trust as a primary option if they felt a need to report a concern and believed it would be taken seriously.

Standard 115.252: Exhaustion of administrative remedies

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.252 (a)

- Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address resident grievances regarding sexual abuse. This does not mean the agency is exempt simply because a resident does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse. ☒ Yes ☐ No

115.252 (b)

- Does the agency permit residents to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- Does the agency always refrain from requiring a resident to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

115.252 (c)

- Does the agency ensure that: A resident who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

115.252 (d)

- Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by residents in preparing any administrative appeal.) (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- If the agency determines that the 90-day timeframe is insufficient to make an appropriate decision and claims an extension of time (the maximum allowable extension of time to respond is 70 days per 115.252(d)(3)) , does the agency notify the resident in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- At any level of the administrative process, including the final level, if the resident does not receive a response within the time allotted for reply, including any properly noticed extension, may a resident consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

115.252 (e)

- Are third parties, including fellow residents, staff members, family members, attorneys, and outside advocates, permitted to assist residents in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA
- Are those third parties also permitted to file such requests on behalf of residents? (If a third-party files such a request on behalf of a resident, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA
- If the resident declines to have the request processed on his or her behalf, does the agency document the resident's decision? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA

115.252 (f)

- Has the agency established procedures for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA
- After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)
☒ Yes ☐ No ☐ NA
- Does the initial response and final agency decision document the agency's determination whether the resident is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA
- Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

115.252 (g)

- If the agency disciplines a resident for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the resident filed the grievance in bad faith? (N/A if agency is exempt from this standard.) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Policy 1.1.8 Resident Grievance and Appeal Process
Policy 1.1.9 Resident Rights
Brooke House Handbook

Individuals interviewed/ observations made.

Resident Interview
Staff Interview
Contract Oversight Manager – MA Reentry Programs
Assistant Director Interview

Indicator Summary determination.

Indicator (a). This indicator applies to Brooke House. Residents can file a grievance internally to the facility Director. The Auditor reviewed two related policies and the client handbook. The facility has a grievance, policy 1.1.8, and a policy 1.1.9 Client Rights. In addition, the information provided in the resident handbook supports the standard on exhaustion of administrative remedies. Policy 900.00 also addresses the requirements of this standard. It states, "The program ensures a formal administrative process to address resident grievances regarding sexual abuse and sexual harassment. The program prohibits an informal grievance process or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse or sexual harassment." The Contract Oversight Manager confirmed there was no PREA related Grievance in the past year.

Indicator (b). Pages 16 of Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) provide direction related to residents filing a grievance. Consistent with the facility grievance

policy (1.1.8), the policy states that residents are not required to resolve incidents through an informal process. The PREA policy 900.00 also states there is no time frame in which the PREA related grievance must be filed. "The program ensures a formal administrative process to address resident grievances regarding sexual abuse and sexual harassment. The program prohibits an informal grievance process or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse or sexual harassment. The program shall not impose a time limit on when a resident may submit a grievance regarding an allegation of sexual abuse or sexual harassment." The Auditor recommends that the grievance policy 1.1.8 be modified to state in clear terms that there is no time frame for filing a PREA Grievance.

Indicator (c). Grievances at Brooke House are generally submitted directly to the Facility Director or Assistant Director. If the Facility Director is the subject of the grievance, it may be submitted to either an Assistant Director, the Director of Reentry Programs or the CRJ PREA Coordinator. Both policies acknowledge there is no informal resolution attempt requirement, and the resident handbook (page 6) states there is no time frame requirement for filing a PREA related grievance. The Auditor suggested that a grievance box be placed away from the staff monitoring station to improve the perception of a level of anonymity for those who might want to remain anonymous.

Indicator (d). Brooke House PREA policy 900.00 addresses the maximum time frames for a grievance to be resolved. The time frames include an initial response within 7 days with an extension of an additional if notice is given in writing. In discussions with the Contract Oversight Manager, it is clear that grievances generally do not take that long to resolve. Given the short timeframe of the resident's stays, (approximately 7 weeks), the facility looks to resolve concerns in an expedited fashion. The grievance filed by the Brooke house was addressed and resolved in less than 24 hours.

Indicator (e). Random staff interviewed confirmed that third-party grievances are possible. Staff acknowledged that complaints and/or grievances might be filed by the resident's family members, attorneys, community agencies, or other professionals working with the client. Interviews with residents and staff confirmed there is no formal policy that prohibits a resident from filing a grievance on behalf of another resident or a resident assisting a fellow resident in the preparation of a grievance. Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) (page 15) also cover the requirements of this indicator. According to this policy, the alleged victim in a third-party grievance has a right to decline the grievance to be processed. The PREA Coordinator confirms there were no grievances filed related to any sexual misconduct or retaliation for prior reporting.

Indicator (f). Policy 900.00 (page 16) defines the conditions for emergency grievances related to sexual assault or sexual harassment cases. The policy addresses time frames in which emergency grievances must be responded to, including an initial response within 48 hours and a final resolution within five days. A policy also covers the requirements of determining if the imminent or substantial risk of sexual abuse exists for the client. The grievance procedures are also outlined in the resident handbook (pages 35-77). Any client PREA Grievance will be handled immediately with the Director or Assistant Director who report they will notify the Contract Oversight Manager, the CRJ PREA Coordinator and the funding source. Policy 900 states, "The program shall provide procedures for the filing of an emergency grievance alleging that a resident is subject to a substantial risk of imminent sexual abuse or sexual harassment. b. After receiving an emergency grievance alleging a resident is subject to a substantial risk of imminent sexual abuse or sexual harassment, the program shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse or sexual harassment) to a level of review at which immediate corrective action may be taken, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final decision shall document the program's determination

whether the resident is in a substantial risk of imminent sexual abuse or sexual harassment and the action taken in response to the emergency grievance.”

Indicator (g). Language in policy 900.00 (pg.16) states that residents who file a grievance can only be disciplined if, after an investigation, it is determined that the grievance was filed in bad faith. It says, “The program may discipline a resident for filing a grievance related to alleged sexual abuse only where the program demonstrates that the resident filed the grievance in bad faith.” Brooke House has not had any cases in which a PREA grievance was purposefully filed in bad faith. As a result, there is no disciplinary process to review.

Compliance Determination

Brooke House has had no case in which a grievance was filed related to PREA, including any third-party grievance complaints. The Auditor reviewed the grievance and subsequent investigation file to ensure timeliness of response. The Auditor considered determining compliance, interviews with staff, residents, the Assistant Director, the Contract Oversight Manager, and absent an actual grievance the policy. Staff interviewed were aware that they must accept all grievances, including from a third party. Residents were aware of their rights under the grievance policy and the related language in PREA policy 900.00. The Assistant Director, who oversees the grievance process, was familiar with PREA requirements related to time and response requirements.

Standard 115.253: Resident access to outside confidential support services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.253 (a)

- Does the facility provide residents with access to outside victim advocates for emotional support services related to sexual abuse by giving residents mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations? ☒ Yes ☐ No
- Does the facility enable reasonable communication between residents and these organizations and agencies, in as confidential a manner as possible? ☒ Yes ☐ No

115.253 (b)

- Does the facility inform residents, 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? ☒ Yes ☐ No

115.253 (c)

- Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide residents with confidential emotional support services related to sexual abuse? ☒ Yes ☐ No

- Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
PREA Brochure (English and Spanish)
Resident Handbook (English and Spanish)
PREA Postings (English and Spanish)

Individuals interviewed/ observations made.

Representative of Boston Area Rape Crisis Centers BARCC
Contract Oversight Manager- MA Reentry Programs
Random residents
PREA related postings in the facility
Observation of resident phones

Indicator Summary determination.

Indicator (a). At Brooke House, residents are provided information on accessing services for individuals who may have been the victim of sexual abuse. These organizations include Boston Area Rape Crisis Centers (BARCC) and local mental health clinics with which the agency or the referring authorities have relationships. The residents are provided information in written form as part of their initial packet upon admission. The facility's PREA brochure, PREA Posters and the resident Handbook each have information about BARCC. The Auditor also was able to see information posted about these organizations in hallways, common areas, and case management staff offices. Residents of Brooke House have access to a phone on site that is not recorded. Residents may also have cellular phones, which would allow private communication with representatives of these organizations. Residents confirm they can make confidential calls on-site or make arrangements to seek counseling services in the community. They report the staff is helpful to those who are less familiar with the area and will provide you information on how to contact and find local services. The Community Resources for

Justice employs a Clinical Director who is available to consult with case managers to find appropriate resources and provide urgent support to clients of Brooke House in a crisis.

Indicator (b). Brooke House residents are made aware of all staff members' duty to report any incident of sexual abuse. Residents of Brooke House have access to unmonitored communication with outside agencies. The Phone system of Brooke House is not monitored, and residents are allowed to have cellular phones. If the client does not have access to a cellular device, they may use the phones in the TV area on the first floor or may ask to use a phone in their case manager's offices of the second-floor conference room. The resident interviewed understood the limitations of confidentiality if they disclose a crime or significant risk to an individual in the house. Boston Area Rape Crisis Centers BARCC, the local rape crisis agency, confirmed the ability to provide confidential support to the resident and provide those support directly at the facility in a non-COVID-19 period, at the agency's offices or through phone contact with residents. The Boston Area Rape Crisis Centers BARCC office is approximately 1 mile away from the facility. The MOU speaks to some direct services provided and the willingness to aid in the referral process as residents prepare to move home.

Indicator (c). The Community Resources for Justice has entered into a relationship with the Boston Area Rape Crisis Centers BARCC. Boston Area Rape Crisis Centers BARCC's Executive Director's letter supports they provide comprehensive, free services, including a 24-hour hotline, advocacy, individual and group counseling, and case management. The Auditor confirmed in phone interviews the ability to provide accompaniment services during forensic exams and police interviews of a victim. The representative confirmed they do not have any current concerns about Brooke House being a hotbed of sexual assault allegations. Boston Area Rape Crisis Centers BARCC also provides community awareness and prevention services through partnerships and training with organizations and communities. Boston Area Rape Crisis Centers BARCC has been able to provide support through the pandemic with phone and telehealth services.

Compliance Determination

Residents at Brooke House are provided access to outside confidential support services through Boston Area Rape Crisis Centers BARCC. The agency provided documentation that supported the appropriate relationships required in indicators (a) and (c) exist. Interviews with the Brooke House Director and case management staff confirm how residents can be assisted in making an appointment for counseling. Observation during the tour supported that information about services was available in both English and Spanish. These languages are the two most common languages spoken by residents entering Brooke House. Resident interviews supported victims of sexual abuse could get supportive confidential counseling services in the community or from the 'hotline.' Compliance is based on the materials available, the relationships developed with community providers and the resident's knowledge of how to access the resources. Residents who reported using the community treatment providers confirm they are aware of limits to confidentiality if someone was at risk of abuse in the facility. The Auditor also took into consideration that Boston Area Rape Crisis Centers Representative sit with CRJ staff on the Fenway Advisory Board.

Standard 115.254: Third-party reporting

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.254 (a)

- Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment? ☒ Yes ☐ No
- Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of a resident? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
 Agency Web Site (third party reporting form)
 Brochures for Residents and Visitors on PREA
 Resident Handbook
 Memo on Third Party Reporting

Individuals interviewed/ observations made.

PREA Coordinator
 Contract Oversight Manager – MA Reentry Programs
 Resident Interviews
 Staff Interviews
 Visitor sign in process showing the distribution of Brochure on PREA
 Signage posted throughout the facility.

Summary determination.

Indicator (a). Community Resources for Justice has established systems to receive third-party reports on sexual assaults or sexual harassment. The agency website provides a phone number and Email address, and a printable form to aid in filing a complaint on behalf of a resident. The agency PREA policy 900.00, page 15, states that the program is to distribute information on how to report concerns related to PREA. The Policy states, "The program shall allow for third-parties to report sexual abuse or sexual harassment for any resident and distributes information explaining how to report sexual abuse and sexual harassment on behalf of a resident. (1) The PREA Third Party Reporting Form is available for individuals to report sexual abuse or sexual harassment on behalf of an offender. (2) Copies of the

form can be found at the program and on CRJ's website, under the PREA section. b. All reports of sexual abuse and sexual harassment received from third parties shall be responded to according to CRJ policy by agency staff." This is accomplished by distributing brochures on PREA, which provide information on how to report a concern internally to the agency-wide PREA Coordinator. Residents are also provided information on how to report a concern related to PREA in their handbook and postings in the facility. The random residents interviewed supported they could make a complaint on behalf of a peer if they were too fearful for some reason. They also reported confidence that the situation would be investigated if a family member called on their behalf. Residents also were aware they could make reports through the CRJ website, outside agencies, or their Probation officer. Program Monitoring staff interviewed were aware that all third-party complaints needed to be taken seriously and referred immediately to the Facility Director and the Agency PREA Coordinator.

Conclusions:

The Brooke House and Community Resources for Justice have successfully provided multiple means for residents and other interested parties to make a PREA complaint as a third party. The information is publicly available on their website and is provided to visitors in brochures and postings as they enter the facility. The facility has trained the Brooke House staff on the need to accept all complaints no matter the source and refer them so they can be investigated. Interview with staff and residents support the policy 900.00 expectations are understood. The Contract Oversight Manager, random staff, and the agency PREA Coordinator all reported not having received any third-party PREA related complaints in the past year. The Auditor has previously tested the third-party reporting system by sending an email to the address listed on the website. During this audit period, I called the listed number on the website that goes to the PREA Coordinator. Compliance is based on all the factors listed here, which support multiple avenues to report a concern about sexual harassment or sexual assault.

OFFICIAL RESPONSE FOLLOWING A RESIDENT REPORT

Standard 115.261: Staff and agency reporting duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.261 (a)

- Does the agency require 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 the agency? ☒ Yes ☐ No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against residents or staff who reported an incident of sexual abuse or sexual harassment? ☒ Yes ☐ No
- Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation? ☒ Yes ☐ No

115.261 (b)

- Apart from reporting to designated supervisors or officials, do staff always refrain from revealing 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? ☒ Yes ☐ No

115.261 (c)

- Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section? ☒ Yes ☐ No
- Are medical and mental health practitioners required to inform residents of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services? ☒ Yes ☐ No

115.261 (d)

- If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws? ☒ Yes ☐ No

115.261 (e)

- Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Staff PREA Training materials

MA Websites Elder Abuse and Disabled Abuse
Sexual Harassment Investigations

Individuals interviewed/ observations made.

CRJ PREA Coordinator
Contract Oversight Manager- MA Reentry Programs
Random Staff
PREA Memo from Director

Indicator Summary determination.

Indicator (a). Community Resources for Justice Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) repeatedly requires the immediate reporting of sexual abuse and sexual harassment claims, retaliation, and staff actions that may have contributed to such behaviors. Page 16 of the policy state, "Reporting Duties a. Any staff must immediately report to the Program Director or designee any knowledge, suspicion, or information regarding (1) an incident of sexual abuse or sexual harassment that occurred in the program; (2) retaliation against residents or staff who reported an incident of sexual abuse or sexual harassment; (3) any staff neglect or violation of responsibilities that may have contributed to such an incident or retaliation". The policy goes on to state, (page 17) "Upon receiving an allegation that a resident was sexually abused while residing at the program, the staff receiving this information must immediately notify the Program Director or designee, the SJS Deputy and the SJS Department, Director." The policy addresses the reporting of abuse that occurred in previous institutions and the duty to report retaliation incidents and incidents where staff duties may have contributed to abuse occurring. In random interviews, staff consistently reported they understood their responsibility to report in the areas described in indicator (a). The staff knew they must report all allegations of sexual assault or sexual harassment no matter the source of the allegation or even if they had questions on the validity of the allegations. The policy also requires the Program Director to notify the local authorities to begin the criminal investigation. In the review of the one sexual harassment claims the response by program staff and administration was immediate.

Indicator (b). Policy 900.00 (pg.18) requires the staff to keep confidential any PREA disclosure except to agency administrators and supervisors to facilitate treatment. Policy states, "Apart from reporting to designated supervisors or agency officials, staff shall 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." Staff in random interviews repeatedly confirmed their awareness of the importance of protecting the victim and the investigative process by limiting the disclosure to those with a need to know. They were also aware of documenting the incident on email or written document to their supervisor but not to put it in the SecureManage electronic case management system where others could read.

Indicator (c). Brooke House does not employ staff in medical or mental health services. Clients would potentially be referred to community Mental Health provider or to the Boston Area Rape Crisis Centers BARCC the local Rape Crisis agency. Residents acknowledged that the work with these individuals/agencies would be confidential except if someone was at risk to themselves or others.

Indicator (d). Brooke House would not receive a resident under the age of 18. Staff are trained in mandatory reporting laws, and the local police could apply additional charges to crimes against these protected populations. The state of Massachusetts website confirms that residents over the age of 60 and those with disabilities have special protection under the law from sexual abuse.

(www.mass.gov/reporting-elder-abuse-neglect, www.mass.gov/service-details/hotline-unit#) These

crimes can be reported to local police, specific state agencies or the Attorney General's office for the state.

Indicator (e). PREA Policy 900.00 Page 13 sets forth the requirement of referring all allegations for investigations. "CRJ will ensure that all allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations unless the allegation does not involve potentially criminal behavior. a. CRJ will document all such referrals." All non-criminal acts will be investigated internally by the Facility Director or other agency administration.

Compliance Determination

The Auditor concludes the standard is compliant based on training materials, policy, sexual harassment investigations and interviews completed. Since there were no sexual assaults, investigative file reviews and direct interviews of victims or first responders were not possible. The Auditor spoke with the Contract Oversight Manager, the CRJ PREA Coordinator, and random staff. The Auditor concludes that policy addresses for staff the need to report all incidents of Sexual Assault or Sexual Harassment while protecting the resident victim's privacy and the investigative process. Further supporting compliance is the interview with staff who consistently understood their duty to report while also understanding the need to protect victims' privacy.

Standard 115.262: Agency protection duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.262 (a)

- When the agency learns that a resident is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the resident? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Overall Compliance Determination Narrative

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire

Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)

PREA Memo from Director

Sexual Harassment investigations

Individuals interviewed/ observations made.

Vice President for Justice Services

Contract Oversight Manager – MA Reentry Programs

Random Staff

Random Residents

Indicator Summary determination.

Indicator (a). Brooke House has not had a situation where a resident has needed protective services from substantial or imminent risk of sexual assault. The facility has trained its staff to handle these situations consistent with first responder expectations, including taking immediate actions to ensure safety, keeping them apart from any perceived threat, and notification to supervisory staff. Since opening the facility has not had to separate residents as a part of a plan to keep a resident safe from sexual misconduct. The facility takes all inmate conflicts seriously and tries to work with the individuals so they can complete their respective stays. It is clear though no aggression would be tolerated. Residents spoken to did not report any concerns about sexual aggression in the environment. Staff spoken with also were able to describe the steps they would take to protect a resident who had concerns about potential abuse.

Compliance Determination

Since Brooke House has not had to provide protection duties for a resident in danger of sexual assault, the Auditor relied extensively on interviews to determine compliance. Residents who display aggression would be removed from Brooke House rather quickly, so protection duties would be limited as compared to a correctional setting. In an interview with the Contract Oversight Manager, he confirmed multiple steps that would be enacted to ensure the safety of all clients involved. Those steps would include moving the resident's room, identifying the potential threat, investigating, and possibly transferring one or the other parties depending on alleged aggression. Random staff who were interviewed stated they would immediately respond to any concern related to residents' safety. The random staff reported speaking to the at-risk client in a private setting to understand the situation better. After discussing with the resident, they would notify supervisory staff to determine a solution while maintaining the resident's safety. Interviews with random residents supported that they could approach staff with a concern related to PREA and felt it would be addressed. Though the standard is specific to sexual abuse, the Auditor considered the facility's response in a sexual harassment allegation as an indicator of quick response.

Standard 115.263: Reporting to other confinement facilities**All Yes/No Questions Must Be Answered by the Auditor to Complete the Report****115.263 (a)**

- Upon receiving an allegation that a resident was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred? ☒ Yes ☐ No

115.263 (b)

- Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation? ☒ Yes ☐ No

115.263 (c)

- Does the agency document that it has provided such notification? ☒ Yes ☐ No

115.263 (d)

- Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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Overall Compliance Determination Narrative

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
PREA Memo from Director

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
CRJ PREA Coordinator

Indicator Summary determination.

Indicator (a). Community Resources for Justice policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) requires that the Director of Brooke House notify the director of another facility if a resident reports previous sexual assault incidents at the other facility. An interview with the Contract Oversight Manager confirms he is aware of this responsibility. The agency policy states, "Upon receiving an allegation that a resident was sexually abused or sexually harassed while confined at another facility, the Program Director that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse or harassment occurred."

Indicator (b). In the interview, the Contract Oversight Manager was aware that notifications must be made within 72 hours of his staff being made aware of a sexual assault at another institution. Policy 900 goes on to state the requirement to report to the institution where the abuse occurred is "as soon as possible but no later than 72 hours after receiving an allegation."

Indicator (c). The Contract Oversight Manager reports he would document the notification by making a follow-up email after making initial contact with the Director of the other facility.

Indicator (d). The Contract Oversight Manager and PREA Coordinator confirmed that an investigation would be enacted immediately upon notice from another institution of any criminal behavior at Brooke House. Agency policy states, "The agency head or program director that receives such notification shall ensure that the allegation is investigated in accordance with these standards." The Contract Manager Confirmed that the criminal investigation would result in the referral to Boston Police Department's Sexual Assault Unit to investigate the allegation. He also confirmed the agency would provide all potential evidence, including electronic records and monitoring technology.

Compliance Determination

CRJ has not received any reports from other correctional institutions about claims of sexual assaults at Brooke House. The facility did not have to report any claims of sexual assault to any other correctional institution. Compliance, absent a claim that has to be reported to another facility, relied on the Brooke House Director and PREA Coordinator's knowledge, of the standard's requirements, including timeframes for reporting to other institutions. The Auditor also took into consideration CRJ's PREA policy, which addresses the standard language requirements.

Standard 115.264: Staff first responder duties

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.264 (a)

- Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?
☒ Yes ☐ No
- Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence? ☒ Yes ☐ No

- Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: 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, if the abuse occurred within a time period that still allows for the collection of physical evidence? ☒ Yes ☐ No
- Upon learning of an allegation that a resident was sexually abused, is the first security staff member to respond to the report required to: 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, if the abuse occurred within a time period that still allows for the collection of physical evidence? ☒ Yes ☐ No

115.264 (b)

- If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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Overall Compliance Determination Narrative

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
 Brooke House Coordinated Response Plan
 CRJ PREA Training materials
 Agreement with the local hospital to provide SANE services.
 PREA Memo from Director

Individuals interviewed/ observations made.

Random Staff
 Case Management Staff
 Contract Oversight Manager – MA Reentry Programs

Indicator Summary determination.

Indicator (a). Brooke House has not had a case requiring a staff member to act as a first responder to a sexual assault complaint. The Auditor had to rely on random staffs' ability to explain their first responder responsibilities. The random staff interviewed described the steps they were trained on, including separating the victim and the potential threat and securing the crime scene. They also knew to ask both the victim and the accused perpetrator to not shower, wash, brush, eat, drink, or take any other actions that would affect the evidence on them or their clothes. CRJ Policy 900 also sets forth expectations for staff consistent with this indicator (page 12). The policy states, "Upon learning that a resident was sexually abused, the first staff member to respond to the scene must:

- a. Separate the alleged victim and alleged abuser (to protect the victim and prevent further violence);
- b. Not leave the alleged victim alone;
- c. Ensure no one else enters the area to preserve and protect the crime scene;
- d. Check victim for immediate medical attention and call 911 if warranted.
- e. Contact the Person-in-Charge (Program Director or designee) to request the assistance
- f. If the abuse occurred within a time period that would still allow for the collection of physical evidence (up to 96 hours), request that the alleged victim not take any action that could destroy physical evidence, including washing or showering, drinking or eating (unless medically indicated), brushing teeth, changing clothes, or toileting."

The Auditor viewed the plan in several offices and at the Program Monitoring station a colorful Coordinated Action Plan which the first four steps address the role and duties of the first responder.

Indicator (b). All staff at Brooke House are trained to be first responders. All staff are trained in the facility's Coordinated Response Plan. As noted in indicator (a), the first four steps of the plan described the actions that a person could undertake in a sexual assault as a first responder. The chart reminds the first responder to, "1st Responder: If immediate medical attention is not needed, tells victim not to take any action that would destroy any physical evidence including washing/taking a shower, brushing teeth, changing clothes, toileting, drinking or eating (unless medically indicated). Assures victim that he/she is not in danger from the alleged attacker." The Auditor confirmed with case management staff and the Intake and Release Coordinator that they also are trained as first responders.

Compliance Determination

As stated above, the auditor had to rely on random staff interviews to determine compliance with the standard. The facility has yet to have a staff person act as a first responder. The Auditor relied on the staff's ability to describe training expectations. The staff were well versed in the expectations of a First Responder. They described the protection of the potential victim and the preservation of evidence, be it a physical space or on an individual. Individual staff also noted that the Coordinated Response Plan could be used as a reference if they were not sure what to do. The plan was visible on tour in several locations. The Auditor also reviewed the PREA training to get an understanding of the information provided to all staff.

Standard 115.265: Coordinated response

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.265 (a)

- Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Brooke House Coordinated Response Plan
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
PREA Memo from Director on Coordinated response

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
Random Staff

Indicator Summary determination.

Indicator (a). The Facility has a Coordinated response plan available to staff. The plan focuses on the first responder's actions, The Program Director, and the case management staff. Since the agency does not employ medical or Mental Health staff, there are no specific duties for these positions. Local Rape Crisis Agency and the local hospital with SANE nurses are listed in the plan. The plan is also covered in Policy 900.00 Pages 11-13, the policy is descriptive on the roles of line staff, facility, and agency administrative response to incidents of sexual misconduct. The Policy gives direction to first responders, facility, and agency administration. It also speaks to the coordination of services of local medical, mental health, emergency response agencies (police, ambulance), and hospital and rape crisis advocates. The Agency has developed colorful quick reference cards for staff to use during a crisis that summarize the expectations during the initial response to an allegation of sexual abuse.

Compliance Determination

The Brooke House coordinated response plan is available to all staff in policy and quick reference cards located throughout the facility. The colorful reference card, making it easy to identify, with each step indicating a required action and the individual responsible for ensuring it occurs. The staff's awareness of the coordinated response plan supports compliance. The Auditor believes that Brooke House staff are sufficiently trained in implementing the plan if an incident occurs. Contract Oversight Manager further supported compliance by his knowledge of the plan and the expectation that multiple individuals will have responsibilities. The Auditor made suggestions on improvements to the plan.

Standard 115.266: Preservation of ability to protect residents from contact with abusers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.266 (a)

- Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with any residents pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted? ☒ Yes ☐ No

115.266 (b)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Overall Compliance Determination Narrative

Policies and written/electronic documentation reviewed.
Brooke House Pre-Audit Questionnaire

Individuals interviewed/ observations made.

Vice President of Social Justice Services

Indicator Summary determination.

Indicator (a). CRJ, the parent organization of Brooke House, does not employ unionized employees. The agency's employee handbook does state that individuals can be placed out of work during an investigation. Page 15-16 of the Agency employee handbook defines the right to discipline employees who engage in "gross misconduct." The document goes on to state the right of CRJ to place employees out on administrative leave during and investigations into their actions. The Contract Oversight Manager confirmed his ability to immediately place a staff person out on leave in an investigation.

Indicator (b). The Auditor is not required to audit this provision.

Compliance Determination:

The Auditor finds the standard to be compliant. The agency has an employment policy that allows Brooke House to put an accused staff person out of work on administrative leave. In doing so, they would be able to protect a resident from any further abuse or subsequent harassment. The employee handbook also supported that there were no collective bargaining contracts and defined that individuals who are subject to an investigation can be placed out of work. The Contract Oversight Manager confirmed that he would be notified by the Program Director and in turn, he would notify the funding source, referral source and CRJ Administration.

Standard 115.267: Agency protection against retaliation

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.267 (a)

- Has the agency established a policy to protect all residents and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other residents or staff? ☒ Yes ☐ No
- Has the agency designated which staff members or departments are charged with monitoring retaliation? ☒ Yes ☐ No

115.267 (b)

- Does the agency employ multiple protection measures, such as housing changes or transfers for resident victims or abusers, removal of alleged staff or resident abusers from contact with victims, and emotional support services for residents or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations? ☒ Yes ☐ No

115.267 (c)

- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of residents who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by residents or staff? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any resident disciplinary reports? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor resident housing changes? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor resident program changes? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff? ☒ Yes ☐ No
- Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff? ☒ Yes ☐ No
- Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need? ☒ Yes ☐ No

115.267 (d)

- In the case of residents, does such monitoring also include periodic status checks?
☒ Yes ☐ No

115.267 (e)

- If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?
☒ Yes ☐ No

115.267 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
CRJ Employee Handbook
CRJ Retaliation Monitoring form
PREA Memo from Director on retaliation prohibition

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
PREA Coordinator
Vice President of Justice Services.

Indicator Summary determination.

Indicator (a). Indicator (a). Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) establishes, on pages 4 and 5, an expectation to keep both staff and residents who report or corroborate with an investigation into sexual assault or sexual harassment from any form of retaliation. The policy states The program must employ all available measures to protect vulnerable residents from abuse or prevent abusers from having the opportunity to abuse by: (1) Consultation with the referral source; (2) Removing alleged resident abusers from contact with victims; (3) Removing alleged staff abusers from contact with victims; (4) Monitoring resident rooms, including by direct observation, if necessary; (5) Transferring potential victims/abusers to other facilities, if operationally possible; (6) Actively monitoring, for at least 90 days, the conduct and treatment of residents or staff who reported abuse or harassment, and, of residents who were reported to have suffered abuse to see if there are changes that may suggest possible retaliation by residents or staff; (7) Promptly remedying any signs of retaliation detected; (8) Monitoring any resident disciplinary reports, housing or program changes, or negative performance reviews or reassignments of staff; (9) Continuing monitoring beyond 90 days if the initial monitoring indicates a continuing need; (10) Providing monitoring that includes periodic status

checks for residents; and (11) Protecting individuals who cooperate in investigations who express fear of retaliation. The program's obligation to protect against retaliation ends if any allegation is unfounded." The Vice President of Justice Services says she would expect the Program Director or Assistant Director to be the facility's primary individuals responsible for monitoring any adverse outcomes after a claim has been made. The facility did not have any sexual abuse in the past year, and the one sexual harassment claim was investigated and determined to be unfounded. CRJ has a retaliation monitoring form since 2020, which allows for overall consistent documentation of monitoring.

Indicator (b). The Contract Oversight Manager and the Vice President for Justice Services both spoke to the multiple options Community Resources for Justice has to protect residents from retaliation. This includes reassigning rooms or moving residents from one floor to another. In more extreme cases, the agency can explore with the Massachusetts Probation Office permission to have a client move to another CRJ facility or the individual be removed from the program altogether. CRJ employee handbook and interview with the Contract Oversight Manager confirmed that if an allegation is against a staff person, that individual could be placed on administrative leave while the investigation is happening. PREA Policy 900 also speaks to efforts to separate individuals to protect them from retaliation. "In less serious abuse situations (administrative), the appropriate staff shall consider whether to separate the residents or take other steps for their safety, to prevent intimidation or retaliation. Staff may move residents to another location within the program. The Deputy Director of Social Justice Services or designee shall assist the Program Director with this decision. Staff should also consider whether there are any resident witnesses who should be relocated to ensure their safety and protect them from intimidation."

Indicator (c). As noted in indicator (a), the agency policy addresses the requirements of this indicator. The Contract Oversight Manager was aware that staff and residents who report or cooperate with a PREA investigation should be monitored for a period of 90 days. He was able to describe things that would be reviewed as a possible symptom of retaliation. Examples include monitoring for discipline, changes in attitude or behaviors, changes in interactions with peers. Though there were no retaliation monitoring for sexual assault claims the facility has adopted a retaliation monitoring form. The Vice President of Social Justice Services would also expect the facility Director to lead the monitoring process. The agency has developed a monitoring tool that would be used to collect information on the areas addressed in this indicator moving forward.

Indicator (d). The Contract Oversight Manager reports there would be periodic check-ins made by her or the appropriate case management staff to any individual who cooperated in the investigation. The reported contact with clients would be in addition to the regular case management check-ins required for residents. Brooke House varies contacts with clients based on needs but the Director supported the client would be seen at least once a week after a PREA event. By practice, Brooke House case management staff routinely asked residents about their feeling of safety as it relates to sexual misconduct. The Agency adopted a monitoring form in the past year. The retaliation monitoring form has a space for documenting the clients' monitoring process and boxes that coincide with elements to be considered.

Indicator (e). As noted in indicator (b), the protections enacted by Community Resources for Justice would extend to any individual who cooperated in the investigation of sexual misconduct.

Indicator (f). The Auditor is not required to audit this provision.

Compliance Determination

The Auditor finds that Brooke House is compliant with the expectations of this standard. The Contract Oversight Manager and the Vice President of Social Justice Services are both aware of the conditions they need to monitor for retaliation against any individual who cooperates in an investigation. The Contract Oversight Manager understood the monitoring should continue even if the perpetrating individual has been removed. The policy statement, the monitoring form in place, the counseling services available to staff and residents, and the interview results were supporting this determination of compliance. Included in consideration were the residents, who consistently supported they could approach staff and believed they would be kept safe.

INVESTIGATIONS

Standard 115.271: Criminal and administrative agency investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.271 (a)

- When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a).) ☒ Yes ☐ No ☐ NA
- Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.221(a).) ☒ Yes ☐ No ☐ NA

115.271 (b)

- Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.234? ☒ Yes ☐ No

115.271 (c)

- Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data? ☒ Yes ☐ No
- Do investigators interview alleged victims, suspected perpetrators, and witnesses? ☒ Yes ☐ No
- Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator? ☒ Yes ☐ No

115.271 (d)

- When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution? ☒ Yes ☐ No

115.271 (e)

- Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as resident or staff?
☒ Yes ☐ No
- Does the agency investigate allegations of sexual abuse without requiring a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding? ☒ Yes ☐ No

115.271 (f)

- Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse? ☒ Yes ☐ No
- Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings? ☒ Yes ☐ No

115.271 (g)

- Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible? ☒ Yes ☐ No

115.271 (h)

- Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?
☒ Yes ☐ No

115.271 (i)

- Does the agency retain all written reports referenced in 115.271(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years? ☒ Yes ☐ No

115.271 (j)

- Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?
☒ Yes ☐ No

115.271 (k)

- Auditor is not required to audit this provision.

115.271 (I)

- When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.221(a).) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Staff Training Records of Administrative Investigation
Investigation file

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
PREA Coordinator

Summary determination.

Indicator (a). Policy 900.00 sets forth the requirements of the standard, including an immediate notification by the Program Director to the local police department. The policy states, "All allegations of sexual abuse or sexual harassment must be reported to the PREA Coordinator:

(1) Allegations of sexual harassment between residents will be reported for investigation by the Program Director; Upon receiving an allegation that a resident was sexually abused while residing at the program, the staff receiving this information must immediately notify the Program Director or designee, the SJS Deputy and the SJS Department Director. (1) The Program Director, or designee, must then:

- a) institute the Incident Report process;
- b) call the local authorities to begin a criminal investigation
- c) call the appropriate contracting agency
- d) notify CRJ Human Resources if a staff person is involved).

Since Brooke House or CRJ staff would not complete a criminal investigation, they will promptly report any sexual abuse or sexual harassment allegation that appears to be criminal to the Boston Police Department. The Director of Brooke House was interviewed as a trained investigator. He reported that the administrative investigation would happen immediately, and it would include a thorough and objective review of the facts. The only delays in the administrative investigations are when those actions would impede the criminal investigation. All interviewed staff understood the need to accept all allegations, including third-party and anonymous reports, and report them immediately. The Contract Oversight Manager reported the one investigation completed in the last year did not include a criminal investigation. A review of the report supports an immediate response in all three cases.

Indicator (b). As noted in 115.234, all CRJ Social Justice facility Directors and Assistant Directors are trained in investigating sexual assault in a criminal justice facility. The training they received was from the National Institute of Corrections. In addition to the Brooke House Director, the other trained individuals who would most likely participate in an investigation are the Agency PREA Coordinator, Contract Oversight Manager, and the Director of Reentry Programs, who supervises the Brooke House leadership. The Director was able to describe the training and the elements that were most helpful from the NIC training that he received. The Assistant Director is new in her role and has yet to complete the investigator training. Copy of the Director's Investigator Training Certificate was provided along with certificates for the Contract Oversight Manager, Director of Reentry Programs and the agency's PREA Coordinator.

Indicator (c). As stated above, Brooke House would not employ an investigator who would gather DNA or other physical evidence associated with a criminal investigation. DNA and physical evidence collection would be the responsibility of the Boston Police and the trained SANes at the Brigham and Women's Hospital. The CRJ investigator would ensure that the Boston Police Department would have access to all electronic monitoring information or any written reports completed by employees. CJR has trained staff on the importance of preserving the crime scene. During the administrative investigation reviewed by the Auditor, interviews were completed with the alleged victim, the alleged staff perpetrators, appropriate witnesses, and written statements and video surveillance. The investigative staff would also look at the individuals' records to determine if there were prior reports or complaints of sexual misconduct or other concerns. The case was unsubstantiated based on the review of video, interviews, and prior incidents for which the resident was sanctioned for contraband.

Indicator (d). This indicator would be the responsibility of the Boston Police Department, who would perform a criminal investigation since opening Brooke House has not had any sexual misconduct complaints. Interview with the Contract Oversight Manager was able to describe the steps she would take to ensure open communication in the event of criminal investigations between the Boston Police Department and CRJ. The Agency and the police have established a relationship through other non-PREA cases. The Auditor was provided a letter supporting the relationship.

Indicator (e). Interviews with the investigator support that at no time does the Community Resources for Justice require individuals, during an investigation, to undergo a polygraph or other truth-telling device as a condition of said investigation. The investigator confirmed that the credibility of each individual is determined on an individual basis and not based on the individual's status as a staff member vs. a resident. The Boston Police do not require the use of any truth-telling devices to initiate a sexual assault investigation. CRJ policy states, "The credibility of an alleged victim, suspect, or witness

shall be assessed on an individual basis and shall not be determined by the person's status as resident or staff. No agency shall require a resident who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.”

Indicator (f). The Contract Oversight Manager confirmed that he would decide if staff actions or failures contributed to the incident occurring as part of the administrative, investigative process and refer them to CRJ Senior Leadership. The Auditor reviewed the steps to be taken in the investigation process by the Brooke House management. The Auditor considered the investigator's knowledge of what should be in an administrative investigation report, the steps taken to ensure a thorough investigation was completed, and the thought process used to draw conclusions. The Contract Oversight Manager was aware that the Administrative Investigation should not impede the criminal investigation process when a criminal investigation occurs.

Indicator (g). Criminal investigations report content would be the responsibility of the Boston police department. The Agency would keep any communication on the criminal investigation as well as the administrative investigation. The Contract Oversight Manager reports they have developed relationships with the Boston Police Department since opening to ensure lines of communication can occur during an event like a PREA investigation. The agency has not had to request a copy of the completed criminal investigation as there have been none to date for sexual misconduct.

Indicator (h). If an allegation is substantiated, the determination of a criminal investigation would be the Boston Police Department's responsibility, who would refer to the County Prosecutor for criminal prosecution.

Indicator (i) The CRJ PREA Coordinator would retain all investigative reports related to any PREA incident. The agency policy requires retention for a period of 10 years after an individual has left the facility.

Indicator (j) The Investigator interviewed confirmed that the departure of an alleged abuser or victim would not result in a premature conclusion of the administrative investigation. Policy 900.00 page 20 confirms that the “departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation.”

Indicator (k) Auditor is not required to audit this provision.

Indicator (l) Brooke House has provided documentation of a working relationship with the Boston Police Department. The facility Director reported that he would ensure open communication between the two agencies so that federal requirements of PREA, including required notifications, can be completed in a timely fashion. Policy 900.00 (page 20) requires the Director to remain informed about the outside investigative agency's progress.

Compliance Determination

There was no individual who was a reported victim of sexual assault at Brooke House for the Auditor to interview as part of this standards review. None of the current residents were involved in any of the previous administrative investigations. Absent a criminal case, the Auditor relied on interviews, policy, training records, and CRJ administrative investigative files to determine compliance. The Auditor reviewed the information obtained in the sexual harassment claims. The interviews showed an understanding of the steps necessary to complete a thorough administrative investigation. The information included the steps necessary to determine the credibility of witnesses, determine how staff

actions impacted the incident, collaborate with outside agencies, and records retention requirements. The facility's relationship with the Boston Police Department supports systems to ensure a prompt criminal investigation. As a community confinement facility, it is likely that the perpetrator of sexual assault or sexual harassment would be removed from the facility, but the investigator understood the necessity of completing an administrative investigation and deciding to substantiate or not substantiate or determine that the claim was unfounded. The interviews support the agency's commitment to ensure safety by training all staff to report every claim no matter the source. The investigator's statement on the investigative process will include determining if staff actions or inactions aided in potential abuse occurring.

Standard 115.272: Evidentiary standard for administrative investigations

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.272 (a)

- Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Memo from the Director on the standard used to determine the outcome.

Individuals interviewed/ observations made.

Trained staff Investigator
Contract Oversight Manager

Indicator Summary determination.

Indicator (a). Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) (page 18) stated that no greater standard than a preponderance of evidence would be used in substantiating an administrative investigation. The Interview with an investigator confirmed this expectation. In addition to stating this measure, the Contract Oversight Manager described how he came to a conclusion in the administrative investigation he has completed. The Auditor reviewed the incident which the Director completed under the supervision of the Contract Oversight Manager. The Investigator looked at all searches of the victim by all Brooke House staff over a three-week period, including all completed by the staff with whom the allegation was lodged.

Compliance Determination

The Auditor spoke with the Contract Oversight Manager as the Investigator. CRJ has several staff trained in completing an administrative investigation of PREA claims of sexual abuse or sexual harassment. The Auditor confirmed there is no greater standard in determining the investigation outcome than a preponderance of the evidence. The Agency policy and investigation files reviewed by the Auditor also support compliance determination.

Standard 115.273: Reporting to residents

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.273 (a)

- Following an investigation into a resident's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the resident as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded? ☒ Yes ☐ No

115.273 (b)

- If the agency did not conduct the investigation into a resident's allegation of sexual abuse in the agency's facility, does the agency request the relevant information from the investigative agency in order to inform the resident? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.) ☒ Yes ☐ No ☐ NA

115.273 (c)

- Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the resident's unit? ☒ Yes ☐ No
- Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility? ☒ Yes ☐ No

- Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility? ☒ Yes ☐ No
- Following a resident's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility? ☒ Yes ☐ No

115.273 (d)

- Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility? ☒ Yes ☐ No
- Following a resident's allegation that he or she has been sexually abused by another resident, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility? ☒ Yes ☐ No

115.273 (e)

- Does the agency document all such notifications or attempted notifications? ☒ Yes ☐ No

115.273 (f)

- Auditor is not required to audit this provision.

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire

Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)

CRJ Client Notification Form

Administrative Investigations

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs

Assistant Director

PREA Coordinator

Indicator Summary determination.

Indicator (a). At the conclusion of an investigation, Brooke House and CRJ administration will ensure, according to interviews, that resident victims are informed of the outcome, including a determination that the claim is substantiated, unsubstantiated, or unfounded. The facility has a form for the notification of the resident on the outcome of sexual assault complaints. The agency form is to be used to inform residents of the outcome of both sexual assault allegations and in allegations of sexual harassment. The Auditor was provided with the forms for the three administrative investigations complete in the past year.

Indicator (b). As noted in 115.271 (I), if Boston Police Department is completing the criminal investigation, the expectation is Facility Director would open up communication channels to ensure sufficient information is obtained in a timely fashion to report to victim residents. CRJ would complete administrative investigations into sexual assault where appropriate. Such investigations would be looking if the staff's actions or inactions played a part in the assault. Absent a criminal case; the Auditor asked the Contract Oversight Manager about how he would stay informed on a PREA criminal investigation. The Contract Oversight Manager reports that he expects the Director or the Assistant Director to act as point persons for communication between the Boston Police Department and CRJ.

Indicator (c). Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) (page 11), states, "following an allegation of abuse by a staff person, "supervising staff shall take steps to separate them, so there is no possibility of further unmonitored contact between them until an investigation is completed. The appropriate staff shall determine if the staff member should be placed on administrative leave pending the results of an investigation". The Contract Oversight Manager is aware of the required notifications to the victim if an allegation involves a staff person, including when the staff person is no longer employed, has been indicted, or when the staff person is convicted. In one case, the staff person was put out on administrative leave during the investigation and in two client allegations, the potentially aggressive resident was removed. The form created by CRJ covers the requirements of this indicator.

Indicator (d). The Director Brooke House is also aware of notification to a victim when a resident perpetrator has been indicted or convicted. Since Brooke House's length of stay is usually under six months, notification on convictions would be unlikely and become the responsibility of the Boston Police and Massachusetts Office for Victim Assistance (MOVA). MOVA is an independent state agency that seeks to uphold and advance the rights of crime victims and witnesses throughout the Commonwealth of Massachusetts. The Contract Oversight Manager was also aware of the need to notify residents when the accused perpetrator is no longer working at that location if they were indicted or if the staff person was convicted. The form created by CRJ covers the requirements of this indicator.

Indicator (e). The facility will provide the resident with a written notification of the investigative outcome. This will also go in the client's permanent record and a copy forwarded to the PREA Coordinator. Documentation can also be written into the Secure Manage. The Agency provided a copy of the notification to the resident in the outcome of the sexual harassment allegation in the past year.

Indicator (f). The auditor is not required to audit this provision.

Compliance Determination

The Community Resources for Justice has put in place mechanisms to ensure residents are told of the outcome of sexual assault and sexual harassment claims. In determining compliance, the Auditor reviewed policies, websites, reporting forms and conducted interviews with the Assistant Director who oversees the Brooke House facility staff, the Contract Oversight Manager (filling in for the Director) who is trained in completing administrative Investigations, and the agency's PREA Coordinator. Based on the above-stated factors, Brooke House is compliant in its ability to report to residents. Brooke House had not had a sexual assault incident, requiring resident notification but providing notifications consistent with the completed administrative investigation. The agency policy requires notifications to be made on sexual harassment cases. The Auditor relied on the interviews, the reporting forms completed for sexual harassment cases, and the policy in determining compliance.

DISCIPLINE

Standard 115.276: Disciplinary sanctions for staff

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.276 (a)

- Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies? ☒ Yes ☐ No

115.276 (b)

- Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse? ☒ Yes ☐ No

115.276 (c)

- Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) 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? ☒ Yes ☐ No

115.276 (d)

- Are 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, reported to: Law enforcement agencies unless the activity was clearly not criminal? ☒ Yes ☐ No

- Are 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, reported to: Relevant licensing bodies? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Policy 1.4.8 Vendor/Contractor Supervision
CRJ Employee handbook

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
Interview with Human Resources Director

Indicator Summary determination.

Indicator (a). CRJ Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) states staff can be subjected to “disciplinary sanctions up to and including termination for violating CRJ sexual abuse or sexual harassment policy.” (900.00) CRJ employee handbook (page 15) further informs staff of potential discipline. Employees may also be disciplined or terminated for gross misconduct. No employees of Brooke House have been disciplined for sexual harassment or sexual abuse of clients at Brooke House.

Indicator (b). CRJ Policy 900.00 states, “Sexual abuse, sexual harassment or sexual contact with residents shall subject staff to appropriate discipline, up to and including termination.” The Employee handbook states, “Gross misconduct, including, but not limited to violations listed below, may result in the employee being terminated for a single violation.” Gross Misconduct includes acts which are criminal or presents a threat to the agency, its residents, or staff. Human Resources Director and the Contract Oversight Manager confirmed that employees who engage in sexual misconduct with a resident can be terminated for the first offense.

Indicator (c). Community Resource for Justice is an at-will employer and has the ability to determine appropriate sanctions for non-criminal behavior. Policy 900.00 utilizes the standard language to state

consequences should be commensurate with the nature of the offense and the employee's history with the agency. CRJ Employee handbook notifies staff that they can be terminated "All CRJ employees are at-will, which means they may be terminated at any time and for any reason, with or without advance notice. Employees are also free to quit at any time." Interviews confirmed that discipline for non-criminal behaviors would be based on the employee's overall history and the nature of the offense.

Indicator (d). Brooke House does not employ any individuals who perform duties in a licensed capacity. The facility will notify the Boston Police Department of all sexual assaults or sexual harassment behavior that appears to be criminal in nature, even if the employee has left the agency. The Contract Oversight Manager confirmed that outcomes of administrative or criminal investigations related to sexual abuse or sexual harassment of clients would be forwarded to Human resources to become part of their employment record.

Compliance Determination

The Community Resources for Justice has a policy in place that states staff who violate agency sexual abuse or sexual harassment policies are subject to disciplinary action (900.00 pages 20). Disciplinary actions, up to and including termination, will be taken for a substantiated finding of sexual abuse. Discipline, per policy, will be proportional to the nature and circumstances of the acts committed and comparable to other staff with similar histories. CRJ requires all allegations of sexual abuse reported to the local authorities regardless of whether the staff resigns or is terminated.

No Brooke House staff has been disciplined for a PREA related violation in the past year because of a criminal or administrative investigation. Absent a recent staff discipline incident: compliance was based on policy and the interview with the Contract Oversight Manager, the agency PREA Coordinator, and the Human Resources Director. The agency reports it has previously disciplined staff related to PREA concerns at their other facilities in the past. The Auditor also took into consideration the CRJ employee handbook, which described the discipline process for staff, including grounds for immediate termination for "gross misconduct."

Standard 115.277: Corrective action for contractors and volunteers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.277 (a)

- Is any contractor or volunteer who engages in sexual abuse prohibited from contact with residents? ☒ Yes ☐ No
- Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies unless the activity was clearly not criminal? ☒ Yes ☐ No
- Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies? ☒ Yes ☐ No

115.277 (b)

- In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with residents? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

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Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
PREA training record for contractors

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
PREA Coordinator

Indicator Summary determination.

Indicator (a). Brooke House does not employ any individual contractor to provide direct service to residents in the licensed capacity. The facility has no direct service contractors; all contractors entering the facility are supervised by staff. The contractors entering are one-time individuals with the exception of the food service company and the vending whose staff have undergone criminal background checks and are provided basic information on PREA. The food service staff drop off meals to staff outside the kitchen door. The vending service enters the facility periodically to fill the machines. Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) allows for the immediate cessation of visits by any contractor or volunteer accused of engaging in sexual misconduct. "Any contractor or volunteer who engages in sexual abuse or sexual harassment shall be prohibited from entry to any CRJ programs and shall be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing bodies." The agency policy requires all criminal behavior to be reported to the police, no matter if the individual is an employee, a contractor, a volunteer, or a visitor. Client services are available in the community, including the Boston Area Rape Crisis Centers BARCC who can provide support or therapy to individuals with past histories of sexual abuse.

Indicator (b). According to CRJ and Brooke House policy 900.00 (pages 20-21), in the case of any violation of boundary issues by any contractor or volunteer, the Facility Director will determine if the

violation is non-criminal actions should result in the termination of their contact with residents. "The facility shall take appropriate remedial measures and shall consider whether to prohibit further contact with residents, in the case of any other violation of CRJ sexual abuse or sexual harassment policies by a contractor or volunteer." According to the Contract Oversight Manager, criminal actions would notify the Police and funding source. He confirms the individual would have an immediate termination of access to residents during the investigation.

Compliance Determination

Brooke House does not employ contractors who provide direct services to the clients at the facility. Brooke House does not currently have any volunteers and no college interns. Policy 1.4.8 Vendor/Contractor Supervision sets forth the expectation that vendors are to be under staff supervision when around clients unless approved by facility leadership. Brooke House policy 900.00 Resident and Staff Sexual abuse and Sexual Misconduct (PREA) (page 18) require the notification to law enforcement of any PREA violations, and the misconduct would be grounds for barring admission to the facility (page 20). As noted in 115.232, all individuals entering the facility are educated about PREA, and Contractors or volunteers are supervised. The facility has not employed or received any voluntary services of a professional to whom a licensing board would be informed for violations of PREA. The Agency PREA Coordinator reports that no volunteer or contractor was the subject of any PREA related investigation in the past year or required any corrective actions. Compliance, absent any discipline of volunteers or contractors, is based on the policy that supports investigation discipline and removal of contact. The Auditor also considered policy guiding staff supervision of contractor/volunteers, documentation of education materials available to educate volunteers/contractors, and interviews with the Contract Oversight Manager and the agency PREA Coordinator.

Standard 115.278: Interventions and disciplinary sanctions for residents

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.278 (a)

- Following an administrative finding that a resident engaged in resident-on-resident sexual abuse, or following a criminal finding of guilt for resident-on-resident sexual abuse, are residents subject to disciplinary sanctions pursuant to a formal disciplinary process? ☒ Yes ☐ No

115.278 (b)

- Are sanctions commensurate with the nature and circumstances of the abuse committed, the resident's disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories? ☒ Yes ☐ No

115.278 (c)

- When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether a resident's mental disabilities or mental illness contributed to his or her behavior? ☒ Yes ☐ No

115.278 (d)

- If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending resident to participate in such interventions as a condition of access to programming and other benefits? ☒ Yes ☐ No

115.278 (e)

- Does the agency discipline a resident for sexual contact with staff only upon a finding that the staff member did not consent to such contact? ☒ Yes ☐ No

115.278 (f)

- For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation? ☒ Yes ☐ No

115.278 (g)

- If the agency prohibits all sexual activity between residents, does the agency always refrain from considering non-coercive sexual activity between residents to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between residents.) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
Resident Handbook (conduct)
Disciplinary Hearing form

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs
Residents

Indicator Summary determination.

Indicator (a). Policy 900 Staff and Resident Sexual Abuse (PREA) sets forth the requirement of any resident found to have engaged in resident-on-resident sexual abuse can be subject to discipline. It states, “residents will be subject to disciplinary sanctions pursuant to a formal disciplinary proceeding following an administrative finding that the resident engaged in resident-on-resident sexual abuse or sexual harassment or following a criminal investigation” (page 21). At Brooke House, there have been zero resident-on-resident sexual abuse cases. Without a case of resident-on-resident abuse, the Auditor must rely on the policy, resident handbook information defining discipline, and facility leadership. As a Community Confinement Center, the belief is that a new criminal charge would likely result in an immediate placement in a higher level of custody.

Indicator (b). The Contract Oversight Manager reports that the discipline process is fair and has consequences that vary based on the severity of guideline violation. The resident handbook page-19 outlines prohibited actions and types of sanctions for non-criminal acts. The referring authority would remove residents engaging in sexual abuse immediately as a community confinement center. An interview with the Contract Oversight Manager confirms that the individual’s prior disciplinary history could weigh in the process and that sanctions would be consistent with those who committed similar offenses. Two residents from the investigation were removed from the facility due to the administrative investigation.

Indicator (c). Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA), page 21, requires consideration of the resident’s mental illness or disability in determining appropriate sanctions. Policy states, “The disciplinary process shall consider whether a resident’s mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction if any, should be imposed.” An interview with the Contract Oversight Manager confirms that any discipline of the resident takes into consideration the resident’s ability to comprehend their actions.

Indicator (d). As a community confinement facility, it would be unlikely the perpetrator individual of sexual abuse would stay in the facility. Individuals who engage in such actions would likely be returned to higher levels of custody. Brooke House can refer individuals with sexual abuse histories to outside counseling at Boston’s Boston Area Rape Crisis Centers BARCC or other mental health programs in the area. The Boston Area Rape Crisis Centers BARCC staff confirms they can provide this counseling to individuals with sexual abuse histories.

Indicator (e). Policy 900.00 confirms on page 21 that residents will not be disciplined for engaging in consensual sexual contact with the staff. “The program may discipline a resident for engaging in sexual contact with a staff only after an investigation finding the staff did not consent.” The Auditor also confirmed with the Contract Oversight Manager that residents in these situations would be considered victims and not be subjected to disciplinary actions.

Indicator (f). Community Resources for Justice Policy 900.00 and the Brooke House resident handbook (page 6) confirm that a resident can be disciplined if they purposefully lied in submitting a PREA related complaint. The policy states that complaint files with a reasonable belief that the alleged conduct that occurred shall not constitute a false allegation. CRJ administration confirmed that this would only occur after the completion of an investigation, which supported such intent in its findings.

Interviews with residents confirmed an understanding that PREA complaints cannot result in discipline without an investigation substantiating an intentionally false report. In the one investigation that was determined to be unfounded, it was not determined that the allegation was a purposeful falsification of information.

Indicator (g). Brooke House prohibits sexual contact between residents. It is stated in the resident handbook on page 16 that “Residents may not engage in romantic relationships at Brooke House.” According to the facility Contract Oversight Manager, if residents have engaged in sexual activities, there would be an investigation of facts, and residents would be met with to ensure there was no intimidation by either party to claim the activity as consensual. Residents who would be disciplined through this process would have notifications sent to their referring authorities.

Compliance Determination:

The Brooke House has a policy that addresses the concerns of this standard. The residents are also afforded information related to sexual misconduct in the facility in the resident handbook. These documents describe addressing the conditions in which a resident could be disciplined, that sanctions be equivalent to the nature of the misconduct, the required consideration of a resident’s mental health or functioning level, and the consequences for sexual misconduct between residents. Interviews with the Contract Oversight Manager confirmed policy expectations, including no discipline for the residents who were coerced in to sexual contact with staff. Brooke House does prohibit all sexual contact between residents and between residents and staff/

Interviews with residents confirm that they are told of prohibited acts at Brooke House at admission and are provided a handbook that outlines the discipline process. Compliance, absent a disciplinary event for sexual assault, is based on policy, the handling of sexual harassment claims, information available through the client handbook and administration, line staff, and resident interviews. Further supporting compliance is the availability for treatment of individuals with an offending history.

MEDICAL AND MENTAL CARE

Standard 115.282: Access to emergency medical and mental health services

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.282 (a)

- Do resident victims of sexual abuse 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?
☒ Yes ☐ No

115.282 (b)

- If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.262? ☒ Yes ☐ No
- Do security staff first responders immediately notify the appropriate medical and mental health practitioners? ☒ Yes ☐ No

115.282 (c)

- Are resident victims of sexual abuse 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? ☒ Yes ☐ No

115.282 (d)

- Are treatment services provided 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? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

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Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900 Staff and Resident Sexual Misconduct (PREA)
 MA Attorney Generals Website
 MA Department of Health Website
 Boston Area Rape Crisis Centers BARCC Website
 Brigham and Women's Hospitals Website
 Information on the state's Victims Compensation Program
 Memo from Director on emergency medical and mental health

Individuals interviewed/ observations made.

Brigham and Women's Hospital

Representative of Boston Area Rape Crisis Centers BARCC
Random Staff
Program Director

Indicator Summary determination.

Indicator (a). Brooke House has in place emergency medical treatment for victims of sexual abuse. The facility will utilize Brigham and Women's Hospital to provide victims of sexual assault. Brigham and Women's Hospital can provide emergency services, including access to trained Sexual Assault Nurse Examiners. If a SANE nurse is not on duty, one can be called in. The facility's coordinated response plan requires potential victims to be sent to the hospital. Also, the local rape crisis agency Boston Area Rape Crisis Centers BARCC would also aid the victim at a hospital. Ongoing support for medical support for victims of abuse can occur at Brigham and Women's Hospital. Policy 900.00 Staff and Resident Sexual Misconduct (Page 14) has language requiring unimpeded access to care for victims of sexual abuse consistent with the language of the indicator. "Resident victims of sexual abuse shall 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."

Indicator (b). Brooke House does not employ medical or mental health staff. All victims would be sent to the hospital. All staff at Brooke House are trained as first responders. In their interviews, random staff were aware of the need to preserve evidence and the importance of supporting the victim emotionally. Brooke House has a coordinated response plan that confirms this practice. Interviews with staff further confirmed the importance of an immediate response to actual sexual abuse incidents and any situation where residents state concern of potential abuse. Staff described the importance of providing physical and emotional safety to the victim and the importance of immediate access to hospital care. The facility would have potential victims transported to the hospital located 5 blocks from the facility.

Indicator (c). Interviews with staff at Brigham and Women's Hospital supported residents would be offered information on emergency contraception and prophylactic medication. After the emergency visit to the hospital, they may do follow-up care or at area health clinics, including Brigham and Women's Hospital's clinic where they can receive appropriate services, including medication, even if initially refused.

Indicator (d). Community Resources for Justice policy 900.00 (page 14). States "treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation." Interview with community service providers and information on the Massachusetts Dept of Public Health and Attorney General's Office websites both confirm there is no cost for the treatment of victims of sexual assault. The Massachusetts Victims Compensation and Assistance Division of the Attorney General's Office is responsible for ensuring no cost for treatment, thus removing fiscal concerns as a barrier to seeking treatment. The Website reviewed by the Auditor stated that the local Rape Crisis Agency (Boston Area Rape Crisis Centers BARCC) staff will help victims access this resource.

Compliance Determination

Brooke House does not employ medical or mental health staff. They have trained all staff in the duties of the first responders, including the importance of getting the victim to treatment services as soon as possible. Line staff are aware they should only ask the victim enough information to be able to obtain appropriate treatment. They are also mindful of the importance of protecting evidence, including

informing resident victims not to take any action that would degrade evidence. Victims of sexual assault at Brooke House have appropriate access to medical and mental health services without cost. The Auditor finds the standard to be in compliance. Absent a case requiring the plan's implementation. The Auditor relied on policy, staff, and administration knowledge of the coordinated plan and information from community resources in determining compliance.

Standard 115.283: Ongoing medical and mental health care for sexual abuse victims and abusers

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.283 (a)

- Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all residents who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility? ☒ Yes ☐ No

115.283 (b)

- Does 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? ☒ Yes ☐ No

115.283 (c)

- Does the facility provide such victims with medical and mental health services consistent with the community level of care? ☒ Yes ☐ No

115.283 (d)

- Are resident victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all-male" facility. *Note: in "all-male" facilities, there may be residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.*) ☐ Yes ☐ No ☒ NA

115.283 (e)

- If pregnancy results from the conduct described in paragraph § 115.283(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all-male" facility. *Note: in "all-male" facilities, there may be residents who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.*) ☒ Yes ☐ No ☒ NA

115.283 (f)

- Are resident victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate? ☒ Yes ☐ No

115.283 (g)

- Are treatment services provided 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? ☒ Yes ☐ No

115.283 (h)

- Does the facility attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

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Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
 Brooke House Resident Handbook.
 Case management notes
 PREA Screening results
 Directors Memo on ongoing care for victims
 CRJ Victim refusal form.

Individuals interviewed/ observations made.

Residents with prior victimization histories
 Case management staff
 Local rape crisis agency
 Local medical and mental health clinics

Indicator Summary determination.

Indicator (a). Brooke House will offer medical or mental health evaluations and treatment as needed to individuals sexually abused either at the facility or during a previous institutional stay. A resident who reports prior victimization history to the Brooke House staff would be offered a referral to community-based counseling services available in the region. Brooke House has also developed relationships locally to provide clients access to mental health, substance abuse, and psychiatric care. Residents acknowledged they believe the staff will aid individual victims in finding services. The Auditor received information to support those individuals with past victimization histories and was offered a referral for counseling services. Identified residents with victimization histories interviewed confirmed the access to community-based counseling services. Representatives of the Brigham and Women's Hospital confirmed their ongoing support to victims' medical needs. CRJ acknowledges residents have a right to refuse treatment but request they sign a form that acknowledges this fact. Case Management staff will encourage treatment and explain the reasons why it is important. The Case Management staff will provide support and referrals at a later date if the victim changes their mind.

Indicator (b). Representatives of local medical and mental health clinics confirm they can provide ongoing services while the individual remains at Brooke House. Brooke House does not subcontract for these services, but they are available to the resident through various local service providers. If the resident leaves the area, these agencies confirm they will aid in the continuity of services by making referral recommendations close to the community where they will be living. The representative of Boston Area Rape Crisis Centers BARCC also confirmed that individuals with whom they have provided supportive services would be offered information about the availability of support in the community in which the individual was going to live.

Indicator (c). Medical and mental health services are provided at several community-based providers. Representatives told the Auditor of these facilities that Brooke House clients receive the same services that all individuals living in the community seeking services would receive. In addition to the interview with community agency representatives, the Auditor reviewed several agencies' websites for information on service availability.

Indicator (d). Indicator is NA as Brooke House is an all-male environment.

Indicator (e). Indicator is NA as Brooke House is an all-male environment.

Indicator (f). The Brigham and Women's Hospital staff confirmed HIV testing is provided to all victims of sexual abuse.

Indicator (g). Treatment services are provided to victims even if they do not name the abuser or cooperate fully with the investigation. Interviews confirmed the stated CRJ policy (900.00 (page 14), "treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation." The Director confirmed the agency's commitment to remove any barrier to prevent a victim from pursuing treatment. Victim compensation services will pay for hospital cost and community based mental health services would provide follow up counseling services.

Indicator (h). The CRJ policy 900.00 (page 14) would put in place a follow-up assessment requirement if a perpetrating individual were to remain in custody. "The program will attempt to conduct a mental health evaluation of all known resident-on-resident abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

“Community agencies confirm an evaluation of a sexual offender can be provided if required. As a Community Confinement Facility, it would be unlikely a perpetrating individual would remain in such a level of custody. Such individuals would most likely be transferred back to higher custody facilities or local police custody as part of the ongoing criminal case.

Compliance Determination

The Community Resources for Justice is committed to ensuring residents in all their programs have ongoing access to services if they have been a victim of sexual abuse in any criminal justice setting. Agency Policy 900.00 speaks to each aspect of this standard. The Brooke House Director also provided a memo describing the facility’s plan to ensure ongoing physical and emotional care to victims of abuse. The agency has also entered into relationships with area service providers who can provide victims of abuse the appropriate ongoing support and treatment. Interview with community health providers confirmed that resident victims could receive free of charge services, including HIV testing and prophylactic treatment and pregnancy testing, and related services. The Auditor, in determining compliance, considered conversations with the community service providers, the Director, interviews with case management staff and residents with victimization histories, as well as resident records. The Auditor also completed internet research on the various health service agencies to further support the finding of compliance.

DATA COLLECTION AND REVIEW

Standard 115.286: Sexual abuse incident reviews

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.286 (a)

- Does the facility conduct 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? ☒ Yes ☐ No

115.286 (b)

- Does such review ordinarily occur within 30 days of the conclusion of the investigation? ☒ Yes ☐ No

115.286 (c)

- Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners? ☒ Yes ☐ No

115.286 (d)

- Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse? ☒ Yes ☐ No

- Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility? ☒ Yes ☐ No
- Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse? ☒ Yes ☐ No
- Does the review team: Assess the adequacy of staffing levels in that area during different shifts? ☒ Yes ☐ No
- Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff? ☒ Yes ☐ No
- Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.286(d)(1) - (d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager? ☒ Yes ☐ No

115.286 (e)

- Does the facility implement the recommendations for improvement, or document its reasons for not doing so? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
 Policy 221 Emergency Plans
 PREA Incident review form

Individuals interviewed/ observations made.

Contract Oversight Manager – MA Reentry Programs

Vice President of Justice Services

Director of Reentry Programs

PREA Coordinator

Indicator Summary determination.

Indicator (a). Policy 900.00 Staff and Resident Sexual Misconduct (page 21) set forth the obligation to have a critical review of all incidents of sexual abuse unless the allegation has been unfounded. “The facility shall conduct a sexual abuse or sexual harassment incident review at the conclusion of every sexual abuse/harassment investigation, including where the allegation has not been substantiated” The agency policy goes beyond the standard requirement as it requires reviews of sexual harassment cases in addition to the sexual abuse cases. There have been no claims of sexual abuse at Brooke House in the past three years and only one unfounded sexual harassment cases in the past year.

Indicator (b). Policy 900.00 states the review will normally occur within 30 days of the conclusion of an investigation. The Auditor can only assess the timeliness without a complaint based on policy language and interviews with senior management staff. The one investigation which was unfounded was still reviewed utilizing the agency’s review format within 16 days of the close of the investigation..

Indicator (c). The review team would include the agency and facility management, including the PREA Coordinator, Case Managers, and include the input of information obtained from law enforcement or community medical or mental health service providers. The Contract Oversight Manager also reported the Agency PREA Coordinator would be invited to the review.

Indicator (d). The CRJ policy 900.00 (pages 21-22) defines the elements to be considered by the review team consistent with this indicator's requirement. The Policy states, “The review team shall:

- Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
- Consider 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 the facility;
- Examine the area in the 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 and current camera systems; and
- Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to sections a. – e. (above) and any recommendations for improvement, and submit such report to CRJ’s Chief Operating Officer (COO), the Program Director and the PREA Coordinator.

5. The facility shall implement the recommendations for improvement or shall document its reasons for non-compliance. In addition to the policy, the Auditor was able to see the intended form used to record the information discussed. The Auditor also confirmed with the Contract Oversight Manager and the PREA Coordinator the elements that would be discussed.” The Agency has developed a review form that ensures consistent information is considered, including this indicator's required elements.

Indicator (e). Policy 900.00 states, “The facility shall implement the recommendations for improvement, or shall document its reasons for non-compliance.” Interviews with Contract Oversight Manager and the

agency PREA Coordinator support understanding how information from incident reviews would spur action. In discussions with the Director of Reentry Operations and the Vice President of Justice Services further support both an immediate response to an identified need and the agency's overall process to use a critical review as a mechanism for overall improvement.

Compliance Determination

Brooke House has not had an incident of sexual assault since opening and has had 1 incident of sexual harassment investigated. The Auditor reviewed the completed Incident Review forms, as well as policy and interviews to confirm compliance. Interviews with senior management of the agency and facility support an understanding of the requirements of the indicators. The Interviews also supported an understanding of how critical review could put into action changes in policy or procedures if needed.

Standard 115.287: Data collection

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.287 (a)

- Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions? ☒ Yes ☐ No

115.287 (b)

- Does the agency aggregate the incident-based sexual abuse data at least annually?
☒ Yes ☐ No

115.287 (c)

- Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice? ☒ Yes ☐ No

115.287 (d)

- Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?
☒ Yes ☐ No

115.287 (e)

- Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its residents? (N/A if agency does not contract for the confinement of its residents.) ☒ Yes ☐ No ☐ NA

115.287 (f)

- Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)
☐ Yes ☐ No ☒ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
 PREA Annual report
 PREA Data Spreadsheet

Individuals interviewed/ observations made.

PREA Coordinator

Indicator Summary determination.

Indicator (a). CRJ collects uniform data on all its facilities. The Auditor was provided with a spreadsheet of Data, which includes some 56 data points related to PREA. The spreadsheet collects information on PREA complaints/investigation and tracks screening information, population, grievances, searches, and number of notifications of investigation outcomes, to name a few items. The definitions used by the agency in Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA) are consistent with the PREA guidelines for Sexual Abuse and Sexual Harassment. Agency Policy states, "CRJ shall collect accurate, uniform data for every allegation of sexual abuse and sexual harassment at all facilities under its direct control using a standardized instrument and set of definitions. CRJ shall aggregate the incident-based sexual abuse data at least annually."

Indicator (b). The agency takes collected aggregate data at the facility and agency levels to attempt to identify trends. The PREA Coordinator receives information on a monthly basis from each of the Social Justice Services Programs. CRJ management interviews support an active review of all incidents to determine trends or needs. A client safety issue identified in non-PREA incidents could result in a solution that could also benefit sexual safety (i.e., Camera purchases, procedural changes). The facility has completed an annual report which shows aggregate data.

Indicator (c). The Auditor compared interviews with the Agency PREA Coordinator and information from the PREA DATA Spreadsheet to the SSV-4 form. The Auditor was able to identify the key elements of the Survey of Sexual Violence in the CRJ data report. Each of the agency's reentry facilities are required to be forward to the Quality Assurance Department. The PREA Coordinator is the Deputy Director of Standards and Quality Assurance. In this role, the SQA team produces reports for the agency management team.

Indicator (d). All incident reports and investigations are forwarded to the agency PREA Coordinator for the required storage.

Indicator (e). N/A- the facility does not contract for the confinement of residents.

Indicator (f). N/A- The Department of Justice has not asked Brooke House for the SSV data, though the elements collected by the facility and the PREA Coordinator to support an ability to complete said the report.

Compliance Determination

The Community Resources for Justice collects information sufficient to complete the Survey of Sexual Victimization (SSV) in all its programs, including Brooke House. Indicator (e) does not apply as CRJ does not contract for beds. Brooke House has not been requested to complete the SSV report or provide other related data to the Department of Justice (indicator (f)). The Auditor was also able to see a summary report of all programs CRJ runs and their incidents of PREA related events. The report ensures uniformity of data and incident-based tracking of sexual assaults and sexual harassment complaints. The agency policy 900.00 (page 22) commits the agency to comply with the standard's data collection requirement. Compliance is based on the information provided to the Auditor and the interview with the Agency PREA Coordinator, who oversees Quality Assurance in the Reentry facilities. The agency PREA Coordinator is responsible for maintaining the agency aggregate data on all facilities.

Standard 115.288: Data review for corrective action

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.288 (a)

- Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas? ☒ Yes ☐ No
- Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis? ☒ Yes ☐ No
- Does the agency review data collected and aggregated pursuant to § 115.287 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response

policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole? ☒ Yes ☐ No

115.288 (b)

- Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse ☒ Yes ☐ No

115.288 (c)

- Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means? ☒ Yes ☐ No

115.288 (d)

- Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
CRJ Website with PREA Annual Report
PREA Memo from Director on data

Individuals interviewed/ observations made.

PREA Coordinator
Vice President of Social Justice Services
Contract Oversight Manager – MA Reentry Programs

Indicator Summary determination.

Indicator (a). CRJ's PREA Coordinator reportedly meets with the Social Justice Services leadership monthly. The group reviews any PREA related concerns or other client safety issues and looking for trends. If a sexual abuse incident review identified a concern, this group would further assess the nature of the corresponding response at the agency level. Since this group member would also be involved in the facility level reviews, they would enable change, when needed, across all facilities. These steps provide the basis for the annual report analysis.

Indicator (b). The Auditor's review of the annual report shows a comparison with the previous year's data.

Indicator (c). The Annual Report is on the agency website. The last five years reports are currently available.

Indicator (d). The agency has not had to redact information to date that would impact the security of the facility.

Compliance Determination

Brooke House and the Community Resources for Justice policy (900.00) addresses the standard's requirements on the use of data for corrective action. CRJ's Standards and Quality Assurance Department has developed a database that supports corrective action through routine elements monitoring. The department collects over 50 factors related to PREA and has the mechanism to assess agency-wide needs/improvements. The features look at various indicators in the facility's efforts to prevent, detect, and respond to PREA incidents, including education, screening, and investigatory requirements. Since the facility does not have a history of PREA incidents, there is limited data from which to make a critical analysis. As a result, the agency looks at these events and other non-PREA events when determining safety concerns. The PREA Coordinator leads the agency's standards and accreditation process and has created a system in which problem areas can be identified and corrective action plans monitored. The agency PREA Coordinator, the Contract Oversight Manager, Director of Reentry Operations and the Vice President of Social Justice Services all committed in interviews to using data to inform practice and identify change when needed. The Agency has posted to the website an annual report approved by the agency's Chief Executive Officer. The report looks at the data across the system and points toward the agency's ongoing efforts to be responsive. Compliance is based on the data provided, the information posted to the agency website and the interviews. The interviews supported a consistent message; that data analysis for program improvement is an agency-wide practice.

Standard 115.289: Data storage, publication, and destruction

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.289 (a)

- Does the agency ensure that data collected pursuant to § 115.287 are securely retained?
☒ Yes ☐ No

115.289 (b)

- Does the agency make 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 or, if it does not have one, through other means? ☒ Yes ☐ No

115.289 (c)

- Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available? ☒ Yes ☐ No

115.289 (d)

- Does the agency maintain sexual abuse data collected pursuant to § 115.287 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Overall Compliance Determination Narrative

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
 Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
 Policy 1.1.4 Case Record
 CRJ website
 Annual PREA reports
 Director PREA memo on Data retention and distribution

Individuals interviewed/ observations made.

PREA Coordinator
 Contract Oversight Manager – MA Reentry Programs
 Tour of Brooke House

Indicator Summary determination.

Indicator (a). Agency records are maintained securely in the SecurManage software program. The system reportedly utilizes access controls to different fields of information based on an employee's job description. The facility has a Policy 1.1.4 Case Records that defines the confidentiality of the records. Policy 900.00 (page 22) states, "CRJ shall ensure that data collected pursuant to Section Q. are securely retained. CRJ shall make all aggregated sexual abuse data from programs under its direct control readily available to the public at least annually through its website. Before making aggregated sexual abuse data publicly available, CRJ shall remove all personal identifiers. CRJ shall maintain sexual abuse data collected pursuant to Section Q. for at least ten years after the date of the initial collection unless Federal, State, or local law requires otherwise."

Indicator (b). In the Auditor's review of the CRJ Website, he found the last six years of annual reports available to the public. This also supports the policy language provided in indicator (a).

Indicator (c) The Auditor's review of aggregate reports shows no identifiers are used that could result in the identification of any victim of sexual abuse.

Indicator (d). The PREA Coordinator reports PREA data will be maintained for at least ten years. Agency Policy as shown in indicator (a) requires the data to be maintained for ten years.

Compliance Determination

The Community Resources for Justice PREA policy 900.00 addresses this standard's requirements on pages 21- 22. All facility data is provided to the agency PREA Coordinator responsible for maintaining and securing all data. In the event of an incident, all identifying information would be removed before any information is made public. CRJ has a unit dedicated to Standards and Quality Assurance; it is this unit's responsibility to maintain data for a minimum of 10 years. No state or local law is requiring more extended maintenance of the records. The PREA Coordinator works with the Agency's Head and the Vice President of Justice Services to develop an annual report.

Compliance is based on the annual report's information, including no identifiers and information on all PREA required facilities run by CRJ. The policy indications on handling information support compliance, as did interviews with the agency's PREA Coordinator and Contract Oversight Manager. The interviews support an understanding that all data is maintained for at least ten years. The annual report is posted on the agency website as required.

AUDITING AND CORRECTIVE ACTION

Standard 115.401: Frequency and scope of audits

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.401 (a)

- During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (*Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.*) ☒ Yes ☐ No

115.401 (b)

- Is this the first year of the current audit cycle? (*Note: a “no” response does not impact overall compliance with this standard.*) ☒ Yes ☐ No
- If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is **not** the *second* year of the current audit cycle.) ☐ Yes ☐ No ☒ NA
- If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is **not** the *third* year of the current audit cycle.) ☐ Yes ☐ No ☒ NA

115.401 (h)

- Did the auditor have access to, and the ability to observe, all areas of the audited facility?
☒ Yes ☐ No

115.401 (i)

- Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? ☒ Yes ☐ No

115.401 (m)

- Was the auditor permitted to conduct private interviews with residents? ☒ Yes ☐ No

115.401 (n)

- Were residents permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel? ☒ Yes ☐ No

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

The narrative below must include a comprehensive discussion of all the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does

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

Overall Compliance Determination Narrative

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
CRJ Website/ PREA

Individuals interviewed/ observations made.

Tour of Brooke House
General observation of staff and resident interactions by the Auditor

Indicator Summary determination.

Indicator (a). CRJ is in its third cycle of audits. In the last three years, the agency had six adult Reentry programs, all of which were audited on compliance with PREA. In this year the

Indicator (b). CRJ has Audits spread out over all three years of the Audit cycle. The agency has added and lost programming but has still maintained audits in each of the cycle years

Indicator (h). The Auditor was not only provided access to all areas during the tour and was also able to move freely about the facility to observe staff and resident interactions. The Auditor, staff, and residents practiced social distancing, with interviews occurring with more than 6 feet of space between the Auditor and the person being interviewed. Both the Auditor and the individuals being interviewed wore masks. The interviews occurred in private in a conference room space on the facility's second floor.

Indicator (i). The Auditor was permitted to request and receive copies of relevant documents. Information was provided in advance, and more was furnished at the auditor's request when on-site. The Agency PREA Coordinator provided additional clarity as needed during the post-audit period.

Indicator (m). The Auditor was able to meet in a private space with clients and staff. The Auditor was provided with use of the second-floor conference room to meet with staff and residents. This space was also used for the opening and closing meetings.

Indicator (n). Posting with the Auditor's contact information was found throughout the facility. The Auditor confirmed the postings were up for weeks prior to the site visit.

Compliance Determination

The standard is Compliant based on evidence that the organization Community Resources for Justice has maintained a consistent application of PREA, including required audits over the last six years. As an Auditor, the facility was helpful in preparing documents and the support of staff to get the identified individuals to the interviews in a timely manner.

Standard 115.403: Audit contents and findings

All Yes/No Questions Must Be Answered by the Auditor to Complete the Report

115.403 (f)

- The agency has published on its agency website, if it has one, or has otherwise made publicly available. The review period is for prior audits completed during the past three years PRECEDING THIS AGENCY AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or in the case of single facility agencies that there has never been a Final Audit Report issued.) ☒ Yes ☐ No ☐ NA

Auditor Overall Compliance Determination

- ☐ **Exceeds Standard** (*Substantially exceeds requirement of standards*)
- ☒ **Meets Standard** (*Substantial compliance; complies in all material ways with the standard for the relevant review period*)
- ☐ **Does Not Meet Standard** (*Requires Corrective Action*)

Instructions for Overall Compliance Determination Narrative

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

Overall Compliance Determination Narrative

Policies and written/electronic documentation reviewed.

Brooke House Pre-Audit Questionnaire
Policy 900.00 Staff and Resident Sexual Abuse and Sexual Harassment (PREA)
CRJ website
Annual PREA reports

Individuals interviewed/ observations made.

PREA Coordinator
Contract Oversight Manager – MA Reentry Programs

Summary determination

Indicator (f). The Community Resources for Justice has posted on its agency's website (CRJ.org) PREA Audit reports Dating back to 2015. The PREA Audits cover all the facilities in Social Justice Programs required to meet PREA.

Compliance determination

The Community Resources for Justice is compliant based on the agency website's review, which showed prior PREA reports posted.

AUDITOR CERTIFICATION

I certify that:

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

Auditor Instructions:

Type your full name in the text box below for Auditor Signature. This will function as your official electronic signature. Auditors must deliver their final report to the PREA Resource Center as a searchable PDF format to ensure accessibility to people with disabilities. Save this report document into a PDF format prior to submission.¹ Auditors are not permitted to submit audit reports that have been scanned.² See the PREA Auditor Handbook for a full discussion of audit report formatting requirements.

Jack Fitzgerald

12-22-21

Auditor Signature

Date

¹ See additional instructions here: <https://support.office.com/en-us/article/Save-or-convert-to-PDF-d85416c5-7d77-4fd6-a216-6f4bf7c7c110>.

² See *PREA Auditor Handbook*, Version 1.0, August 2017; Pages 68-69.