GENERAL POLICIES AND PROCEDURES III.A. ADOC and Tutwiler shall DEVELOP and IMPLEMENT gender-responsive policies, procedures and practices to ensure that inmates at Tutwiler are protected from harm due to sexual abuse and harassment.				
		Policy	Develop Policy	Implement Policy
1. ADOC and Tutwiler shall comply with all provisions of PREA. ADOC and Tutwiler shall **continue to** comply with the ADOC's written policies and procedures mandating zero tolerance toward all forms of sexual abuse and sexual harassment. This agreement takes precedence over any ADOC and/or Tutwiler policy governing the operation of Tutwiler that may conflict with this agreement.	III.A.1	8-12 (15-39A)	**May 28, 2015**	**May 28, 2015** *AND* February 28, 2016
REQUIREMENTS	Policy Developed		Staff Trained	Policy Implemented
Comply with PREA	Y	N N/A	Y N N/A	Y N N/A
Comply with ADOC Policies	Y	N N/A	Y N N/A	Y N N/A
This agreement takes precedence over any ADOC and/or Tutwiler policy governing the operation of Tutwiler that may conflict with this agreement	Y	N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
A. Agency PREA policy mandating zero tolerance. B. Tutwiler Standard Operating Procedures (hereinafter "SOPs") and procedures for implementation of the PREA policy. C. Alabama State law regarding sexual misconduct of staff. D. Training schedules for staff attending PREA training at Tutwiler. E. PREA Training Curriculum for staff. F. Any memos, written directives from the Commissioner, Deputy Commissioner and Warden that direct PREA policy compliance and zero tolerance. G. Interviews with various officials regarding their knowledge and roles in implementing the PREA policy. H. Focus group meetings with staff (a randomly selected group from each staff rotation) and one inmate group (randomly selected from various housing areas, to include new admissions). I. Tour impressions-PREA posters, phone.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC Administrative policy 454; the PREA policy for ADOC. It was issued 2/27/2014. 2. Tutwiler SOP 15-39 A: revised SOP 8-12 "Inmate Sexual Assault and Harassment Awareness: PREA policy." It was issued 2/04/2014. NOTE: SOP 8-12 is currently under review for updates related to ADOC policy and settlement provisions. 3. Alabama state law §13A-6-65. Class A misdemeanor. 4. Training records for Tutwiler staff PREA training. 5. PREA Training Curriculum for staff. 6. Two memos issued by Warden Barrett to all staff regarding 1) zero tolerance regarding staff reporting of ANY wrong doing under PREA or other ADOC directives, and 2) memo issued to all Tutwiler staff regarding PREA information, procedures, definitions of sexual violence and sexual harassment. Staff was required to sign receipt of the memoranda. 7. On site tours of facility, Monitor noted an adequate number of PREA posters scattered all over facility. 8. ADOC contract with the Moss Group to provide PREA training, policy development, gender responsive training, and other related types of training and assistance to Tutwiler and ADOC.	1. Deputy Commissioner Wendy Williams 2. Warden Bobby Barrett 3. Captain McClain 4. Lt. Young 5. Warden Wright 6. Four staff focus groups of 5 employees, randomly selected by Monitor 7. One inmate focus group, 21 inmates randomly selected by Monitor 8. Tutwiler managers: Lt. Coleman, Lt. Goodson, Lt. Nelson, Dr. Scott Holmes, the MHM Site Administrator, the Classification Supervisor Ms. Westry, and the Corizon Director of Nursing 9. ADOC Commissioner Dunn 10. ADOC General Counsel Anne Hill 11. ADOC Associate Commissioner for Health Services, Ruth Naglich 12. ADOC Deputy Commissioner for Training and Development Matt Brand 13. ADOC Personnel Director Bill Lawley 14. ADOC PREA Director Ms. Christy Vincent 15. ADOC EEO Officer Ms. Tamara Jackson, who is also the Inmate Grievance Appeal Coordinator 16. ADOC Director of Investigations Mr. Arnaldo Mercado 17. ADOC Investigator Ms. Kelley Smith 18. Regional ADOC Health Manager Ms. Lynn Brown	1. Baseline tour conducted by Monitor from September 28-October 1, 2015. Monitor toured the entire institution over a two-day period. Informal interviews were held with inmates in every housing area. 2. Compliance tour was conducted on November 30-December 4, 2015

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a monitor granted an extension until 5/28/16

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor evaluates steps taken by ADOC and Tutwiler in 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance tours.

1. ADOC AR 454 is the agency PREA policy as of February, 2014, and it defines expectations for all the facilities to follow a zero tolerance approach in the application of the standards for sexual abuse and sexual harassment. It is currently under review for any potentially needed revisions. In the Monitor interview with ADOC Commissioner Dunn, he reiterated the agency commitment to be in full compliance at Tutwiler. In the 18 interviews listed, the Monitor found staff to be very knowledgeable of AR 454 and its applicability to their work disciplines and the agency and Tutwiler. Alabama state law §13-6-65 is the legal foundation for the agency PREA policy.

2. Tutwiler' s SOP 8 -12 is the provision to implement ADOC 454 and PREA standards, as outlined in the settlement. In their operational practices written in various other SOP's for Tutwiler. SOP 8-12 is under revision to specifically include all requirements in the settlement agreement.

3. Monitor discussed the PREA standards in each interview, as noted, with individual interviewees regarding their individual roles and responsibilities in ADOC and at Tutwiler.

4. Monitor review of training records reveals the annual PREA training in 2014 and 2015 for Tutwiler staff on ADOC 454. Monitor reviewed the PREA training curriculum and found it adequate for staff training. The training is under revision to make it more inclusive. The revised curriculum is expected by 1/5/2016.

5. ADOC entered a multi-year contract with the Moss Group to provide expert resources to ADOC and Tutwiler in a variety of areas, including training, policy development, gender responsive policies, strategic planning, development and implementation of a gender responsive classification system, staffing workforce review, and assistance with settlement agreement/PREA compliance.

6. Alabama, prior to settlement in some areas, has followed PREA guidelines in the following areas:
a. PREA pre-audit conducted in April 2014.
b. Installation of an excellent video surveillance camera system at Tutwiler. Monitor observed its operations on both visits.
c. Moss Group contracted with Dr. James Wells and Dr. Barbara Owens to conduct a sexual safety survey at Tutwiler in July 2014.
d. Moss Group has provided specific best practice trainings to the Tutwiler Institutional PREA Coordinator, Lieutenant Young, to include PREA audits.
e. Tutwiler has addressed specific inmate privacy issues by placing shower curtains and privacy curtains around/in all bathroom and shower units. Monitor observed them to be in place and functional on each visit.
f. Background checks on all employees have been completed since June 2015.

7. ADOC recruited and hired an agency PREA Director, Ms. Christy Vincent, who began these duties in July 2015. She has an excellent background in PREA standards, including as a result of her previous roles and responsibilities with the juvenile system.

8. ADOC created a new position, Deputy Commissioner for Women's Services, in April 2014. Dr. Wendy Williams was appointed to this position. Dr. Williams is a career professional and the monitor believes she is a competent, experienced, passionate selection for this job. The monitor has observed the organizational skills, the capacity for planning and follow up implementation in her work on the settlement . She provides leadership to Tutwiler and is actively engaged with the warden daily.
9. The monitor selected five completed PREA investigations by the ADOC Division of Investigations and Intelligence. These five cases were reviewed in total by the monitor during the compliance visit. Monitor found that these investigations were conducted according to the PREA standards in the settlement.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor evaluates the extent of ADOC compliance with the agreement by 1) interviews as noted, 2) review of documents as noted, and 3) baseline and compliance visits.

1. ADOC has developed Agency PREA Policy AR 454 and it is currently in practice.
2. Tutwiler SOP 8-12 has been in practice at Tutwiler since February 2014. It is under revision for inclusion of PREA settlement specific items.
3. Staff at Tutwiler has received annual PREA training since 2008. In 2014 and 2015, staff at Tutwiler has received PREA annual training that is responsive to and consistent with the ADOC 454.
4. Monitor has observed the "zero tolerance " mandate and philosophy in practice by ADOC and Tutwiler in interviews, documents and visits.
5. Monitor conducted four staff focus groups and one inmate focus group. All participants were knowledgeable of PREA policy and zero-tolerance at Tutwiler. NOTE: the monitor randomly selected the staff participants for the focus groups on December 1 and 2 by reviewing the shift rosters and pointing to names on each shift. Monitor selected both genders. The monitor randomly selected a group of 22 inmates by reviewing the bed assignment rosters for each housing area. The monitor chose more inmates from Dorm A, due to its inclusion in the settlement, but had inmates from all housing areas, including the annex. Segregation inmates were excluded. The monitor visited segregation and death row on the baseline visit and segregation on the compliance visit. Monitor talked with all inmates confined each visit-except a few sleeping.
6. The ADOC multi-year contract with the Moss Group will continue to provide expert resources and assistance in complying with provisions of the settlement and PREA.
7. ADOC and Tutwiler have established training schedules for the completion of the revised PREA training, and will be using the new curriculum by February 28, 2016. The required training on Gender Responsive Principles will be completed by the same date.
8. ADOC is actively involved in reviewing all new or revised policies for the inclusion of gender responsive principles.
9. ADOC and Tutwiler are preparing for the PREA audit in May 2016, tentatively. This audit will review their compliance with PREA standards and establish benchmarks for future actions, revisions, training, policies and procedures at Tutwiler.
10. ADOC implemented a grievance system in September 2015 that gives inmates another method for reporting PREA issues, events or concerns. It is noted that the current policy is under review with Ms Wendy Leach, a Moss group consultant and national expert, and she is expected to provide feedback and potential

training for the Tutwiler leadership team and Lt. Coleman, grievance manager , after the revised policy is reviewed by the monitor and DOJ and approved by ADOC. 11. ADOC has their investigative unit, Division of Investigations and Intelligence, responding and completing PREA investigations according to the PREA standards. Their investigations are submitted to a prosecuting attorney for review for criminal charges per the agreement. The monitor has reviewed investigations and letters to the prosecutors. ADOC AR 454 provides the policy for their operational practices. 12. ADOC is preparing to deliver their first comprehensive PREA training for volunteers in The first week of February 2016.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
NOTE: ADOC requested a three-month extension for compliance with III A., and to make other policy revisions to comply with the agreement. The monitor approved the extension on January 26, 2016.	
1. Implement any revised procedures in ADOC 454 in SOP's at Tutwiler.	1. May 26, 2016
2. Implement/plan for revised procedures in Tutwiler SOP 8-12.	2. May 26, 2016
3. Complete annual revised PREA training for all Tutwiler staff.	3. May 26, 2016
4. Continue development of the data information systems to track data.	4. Ongoing
5. ADOC will continue to have all their new or revised Tutwiler policies reviewed for the inclusion of gender responsive principles.	5. Ongoing
6. Tutwiler should train their staff in any new or revised procedures contained in ADOC AR 454 and Tutwiler SOP 8-12- " Inmate Sexual Assault and Harassment Awareness: PREA policy".	6. Ongoing

GENERAL POLICIES AND PROCEDURES III.A. ADOC and Tutwiler shall DEVELOP and IMPLEMENT gender-responsive policies, procedures and practices to ensure that inmates at Tutwiler are protected from harm due to sexual abuse and harassment				
	Policy		Develop Policy	Implement Policy
2. Shall develop; submit to the Monitor and DOJ for review consistent with III.A.6; and Implement policies and procedures regarding the management of lesbian, gay, bisexual, transgender, intersex, and gender nonconforming inmates. The policy shall emphasize the rights of lesbian, gay, bisexual, transgender, intersex, gender nonconforming and gender dysphoric inmates to a safe, non-discriminatory and respectful environment.	III.A.2 (III.H.5 III.H.4 *see below*)	(17-2)	February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Policy emphasizes the rights of lesbian, gay, bisexual, transgender, intersex, gender nonconforming and gender dysphoric inmates to a safe, non-discriminatory and respectful environment	Y N N/A	Y N N/A	Y N N/A
Qualified mental health practitioner: -Has experience in recognizing and diagnosing co-existing mental health concerns and distinguishing these from gender dysphoria; is knowledgeable about gender non-conforming identities and expressions and the assessment and treatment of gender dysphoria; and	Y N N/A	Y N N/A	Y N N/A
-Is assigned inmates with gender non-conforming identities, including gender dysphoria	Y N N/A	Y N N/A	Y N N/A
Inmate diagnosed with gender dysphoria should be offered appropriate non-surgical treatment as determined by a qualified health care practitioner.	Y N N/A	Y N N/A	Y N N/A
Provide ADOC-issued clothing and hygiene items and facilities appropriate to the needs to transgender and gender dysphoric inmates.	Y N N/A	Y N N/A	Y N N/A
Transgender and intersex inmates are given the opportunity to shower separately from other inmates. (**III.H.5**)	Y N N/A	Y N N/A	Y N N/A
Transgender or intersex inmates are not searched or physically examined for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate or by a qualified medical practitioner reviewing the medical records or, if necessary, by learning that information during the intake physical exam conducted in private by a medical practitioner. (**III.H.4**)	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
Shall develop; submit to Monitor and DOJ for review; Implement policies regarding management of LGBTI - emphasizing rights POLICY emphasizes the rights of LGBTI inmates… a. Policy regarding LGBTI, gender dysphoric and gender non-conforming inmates and their rights for a safe, non-discriminatory and respectful environment. b. Training record to document staff training regarding these rights. c. Interviews with Warden Barrett, Capt. McClain, Lt. Young, Lt. Coleman, Site Health Administrator, DOC PREA Director. QUALITY mental health practitioner... a. Identification and qualifications for mental health professional. b. Proof of the professionals experience in recognizing and diagnosing co-existing mental health concerns and distinguishing these from gender dysphoric; knowledge about gender non-conforming identities and expressions; assessment and treatment of gender dysphoria; and is assigned inmates with gender non-conforming inmates. c. Identification of any inmate(s) who has been treated by named mental health professional. Records review on site. d. Interviews with the named professional, Tutwiler Health Care Administrator, Warden Barrett, Capt. McClain, Lt. Young, Dr. Williams and DOC Health Care Administrator, DOC PREA Director. INMATE diagnosed as gender dysphoric should be offered... a. Identification of inmates diagnosed as gender dysphoric since June 1, 2015. b. Review health care records to determine if they have been assessed for treatment and recommended for any non-surgical interventions. c. Interview with, site medical doctor, site mental health professional treating these inmates d. Interviews with Warden, Capt. McClain, Lt. Young, DOC Health Administrator or Regional Administrator. PROVIDE ADOC issued clothing and hygiene items. a. Tutwiler SOP for providing clothes and hygiene. Proof of issuance to named gender dysphoric inmates. b. ADOC designation for facilities to house these inmates. Monitor needs to be advised of any plans. c. Interview of inmates identified as gender dysphoric, if available. d. Interviews with Warden, Capt. McClain, Lt. Young. TRANSGENDER and intersex inmates are given the opportunity to shower... a. See H. 5 and SOP to shower inmates separately. b. Interviews with Warden, Capt. McClain, Lt. Young, Lt. Coleman. c. Interview available inmates if on site.

TRANSGENDER or intersex inmates are not to be searched or physically examined for the sole purpose of determining the inmates genital status.
a. Policy and SOP for admission searches for possible gender non-conforming inmates.
b. Interviews with staff assigned to admissions and Lt. Coleman who supervises intake area.
c. Documentation of any searches that occurred in intake for these inmates.
d. Interview with Site Health Administrator, Warden, Capt. McClain, Lt. Young.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454 and Tutwiler SOP 8-12. 2. Draft Tutwiler SOP 8-29. 3. Training records for Annual in-service 2015 for Tutwiler on the LGBTI population. It was a 4-hour block of training. 4. Training Brochure, offered by Dr. David Tytell, that is named "Transgender Health: Best Practices in Medical and Mental Health Care". He will attend this training in Atlanta, Ga. January 20-23, 2016, as is Dr. Holmes, from Tutwiler.	1. Deputy Commissioner Williams 2. Associate Commissioner Ruth Naglich 3. ADOC Chief Psychologist Dr. David Tytell 4. Warden Barrett 5. Captain McClain 6. Lt. Young 7. Dr. Scott Holmes, Tutwiler Psychological Associate 8. MHM Site Administrator at Tutwiler	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.A.2, III.H.4, and III.H.5. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a monitor granted an extension until 5/28/16

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted, and 3) baseline and compliance visits.
1. ADOC AR 454.
2. Tutwiler SOP 8-12 (Note: this SOP has been revised to include settlement specific items. Monitor will reference 8-12 as the completed revised policy in these provisions that require compliance by February 28, 2016 or later in 2016.)
3. Tutwiler has had some of the requirements in practice in this provision since February 2014. Specifically, it includes:
a. Providing transgender and intersex inmates the opportunity to shower separately from other inmates;
b. Facility staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status;
4. Tutwiler has a draft SOP 8-29-LGBTI population, that is currently under review. The Monitor will review this policy after review is completed;
5. Tutwiler plans policy implementation after all III. A. 6 provisions have been exhausted and final approval has been granted by the Deputy Commissioner of Women's Services and the Tutwiler Warden.
6. Health care contractors, Corizon and MHM, are educating their providers on transgender inmates and their provision of appropriate health services for these inmates. Interviews with Ms. Lynn Brown, ADOC Region Director, and Dr. David Tytell, ADOC Chief Psychologist, confirm these activities. Monitor reviewed the Corizon PREA training content for their contractual staff. All contractual staff for Corizon and MHM are required to attend ADOC PREA and Gender Responsive Principles training. Monitor reviewed training rosters. The monitor found the training as responsive to the role of health care providers
7. ADOC Chief Psychologist Dr. David Tytell and Dr. Scott Holmes, Tutwiler Psychological Associate, will attend a national certified program in Atlanta on January 20-23, 2016. The training, "Transgender Health: Best Practices in Medical and Mental Health Care", is presented by WPATH, a gold standard provider of training for this specific population.
8. Tutwiler staff has received a four-hour block of training on the LGBTI populations. This was presented during the 2015 annual in-service training. It will continue to be presented annually.

9. During the Monitor interview with ADOC Associate Commissioner for Health Services, Ms. Ruth Naglich, she stated it is ADOC's intent that Dr. Tytell will become the expert practitioner regarding the specific requirements in this provision for expertise in gender dysphoria and co-occurring mental health issues in the inmate population at Tutwiler.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. Tutwiler expects to implement SOP 8-29, as described above, by February 28, 2016.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Provide any additional training update to Tutwiler staff, if necessary, after the completed 8-29 is implemented. 2. ADOC should continue to provide training for Dr. Tytell in gender dysphoria and he should communicate that information with Tutwiler staff and in protocols for Tutwiler staff and MHM.	1. as needed by May 1, 2016 2. Feb. 1, 2016 and continuing

GENERAL POLICIES AND PROCEDURES III.A. ADOC and Tutwiler shall DEVELOP and IMPLEMENT gender-responsive policies, procedures and practices to ensure that inmates at Tutwiler are protected from harm due to sexual abuse and harassment									
	Policy						Develop Policy	Implement Policy	
3. **Continue to** comply with ensuring women receive essential supplies, including hygiene and feminine hygiene products, tampons and pads; linens; and uniforms by making them available on a monthly basis or more frequently as needed. The policy will continue to require the tracking and distribution of these products. ADOC and Tutwiler will continue to ensure that both tampons and sanitary pads are readily available, free of charge, to Tutwiler inmates.	III.A.3			8-27			**May 28, 2015**	**May 28, 2015**	
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
Supplies: hygiene; tampons *and* pads; linens; uniforms	Y	N	N/A	Y	N	N/A	Y	N	N/A
Availability: Readily; monthly; more frequently as needed.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Track distribution of these products.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Both tampons and sanitary pads are readily available, free of charge, to Tutwiler inmates.	Y	N	N/A	Y	N	N/A	Y	N	N/A

MONITOR'S MEASURES OF COMPLIANCE
A. Policy/SOP for this directive B. Implementation memos and procedures for this SOP C. Tracking documents, inventory sheets for distribution, monthly reports D. Interview with staff responsible for direct implementation of this routinely and the supervisor responsible for oversight and monitoring this process E. Interviews with inmate and staff focus groups F. Tour impressions

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
a. Settlement Agreement--requires policy/SOP implementation by 5/28/15. b. Tutwiler SOP 15-28. Issued 8/24/15. Hygiene Item Issuance. c. Excel spreadsheet created and maintained by Correctional Officer Monica Wheat. She has maintained this responsibility since 5/2015. d. Example Invoice from C.S. Jail Suppliers for hygiene supplies issued 5/26/15. CO Wheat orders *all* hygiene supplies. e. Clothing inventory tracking spreadsheet that is maintained by Laundry Supervisor, Ms. Garner. Monitor also observed the laundry operation, and clothing inventory stored in laundry. f. December 4, 2014 Memo from Dr. Williams to the 3 Tutwiler wardens with directives on hygiene item issuance.	a. Warden Barrett b. Captain McClain c. Lt. Young (PREA) d. Lt. Coleman (Grievances) e. CO Monica Wheat f. Deputy Commissioner Wendy Williams g. Four Staff Focus Groups. 17 staff randomly selected by Monitor h. Inmate focus group(s) of 21 Tutwiler inmates randomly selected by Monitor i. Laundry Supervisor Garner	1. Baseline and compliance tour visits to every housing area and bathroom. 2. Compliance visit to the laundry

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor evaluates steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

Requirements (summary)
Inmate Supplies, including hygiene, tampons and pads, linens, uniforms. These supplies will be readily available -monthly or more frequently (sanitary items to be free of charge to inmates)

1. Tutwiler SOP 15-28 issued 8/24/15-Hygiene Item Issuance.
2. Warden Barrett appointed Correctional Officer Monica Wheat to be responsible for maintaining and implementing SOP 15-28 in May 2015. Monitor found her to be very competent, knowledgeable and assertive in her role.
3. Officer Wheat created and maintains an Excel spreadsheet to manage the inventory of supplies, the issuance of supplies on a routine schedule and the inmate written requests she receives.
4. Memo was issued by Deputy Commissioner Williams on 12/04/14 to Warden Barrett with directives regarding the issuance of hygiene supplies as prescribed in this provision. Information received from Commissioner Williams gave the Monitor the history of the development/implementation of this provision since 2014.
5. Monitor reviewed an invoice from C. S jail Suppliers that documented the ordering and stocking of an adequate warehouse inventory of supplies.
6. There is a written document describing the number of items to be issued to each inmate on a schedule for each dorm, which was developed by Ms. Wheat. Items are refilled weekly, bi-weekly or monthly.
7. Interviews with ALL noted staff in this provision reflected that they are knowledgeable of the requirements in this provision. Lt. Young tracks grievances, along with Lt. Coleman, to look for any issues being raised by inmates, to include hygiene supplies.
8. Staff and inmate focus groups were knowledgeable about this provision and the Monitor only received one complaint from inmates, which was that the current soap "wears out too quickly."
9. Monitor visited the inmate laundry on compliance visit. Monitor discussed the issuance to all inmates of clothing with the Laundry Supervisor, Ms. Garner. Monitor examined the typical uniforms, sleepwear, underwear and linens distributed to inmates. Ms. Garner keeps a spreadsheet that tracks clothing issued to each inmate. Each inmate has her clothes marked with her number. Ms. Garner maintains a Clothing Issue card on each inmate.
10. Monitor reviewed inmate grievances and none were noted about clothing or hygiene items as of the time of compliance visit.
11. CO Wheat keeps each inmate request for more supplies or replacements and she scans the request into the inmate's file.
12. On the baseline visit, Monitor visited every bathroom in the institution and annex. Monitor observed large boxes of tampons and separate large boxes for pads in each bathroom.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor evaluates extent of compliance by 1) interviews as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. Tutwiler SOP 15-28 was implemented after the May 28, 2015 settlement agreement was finalized. An initial directive from Commissioner Williams in August 2014 regarding issuance of hygiene supplies was the result of collaborative efforts between the Moss Group, ADOC research and information from the National Resource Center on Justice Involved Women. This initial procedure was fully Implemented on December 4, 2014. This policy met the requirements of this provision. 2. Monitor confirmed their compliance by observations of all bathrooms, interviews with inmates, informal focus group, staff focus groups and CO Wheat and Tutwiler Management team 3. Physical evidence of ordering supplies and warehouse inventory. 4. Visit to laundry and examination of inmate clothing and linens.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Continue to track issuance of supplies on the scheduled basis. 2. Track inmate grievances and any that involve hygiene supplies should be copied and shared with CO Wheat. 3. Lt. Coleman should continue to work with Laundry Supervisor on the issuance of appropriate sizes of clothing to the women and the condition of clothing items like tee shirts and sleeping wear. 4. Monitor will review these recommendations during June 2016 compliance visit	1. Ongoing 2. Ongoing 3. Ongoing 4.Ongoing

GENERAL POLICIES AND PROCEDURES III.A. ADOC and Tutwiler shall DEVELOP and IMPLEMENT gender-responsive policies, procedures and practices to ensure that inmates at Tutwiler are protected from harm due to sexual abuse and harassment				
	Policy		Develop Policy	Implement Policy
4. Shall develop and implement policies and procedures that incorporate gender-responsive strategies, including policies and procedures governing the use of force against women inmates and discipline of women inmates	III.A.4	7-8	February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Governing use of force against women inmates	Y N N/A	Y N N/A	Y N N/A
Governing discipline of women inmates	Y N N/A	Y N N/A	Y N N/A
Other policies: ADOC has identified 36 policies , in addition to use of force and inmate disciplinary, And "Standard Operating Procedures" (SOP) for inclusion of gender responsive principles , as required by this provision. These policies are specified in the box for "monitor's discussion of steps taken by ADOC and Tutwiler"	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

GOVERNING use of force
a. Policy and Tutwiler SOP for use of force on inmates.
b. Curriculum used to train Tutwiler staff to implement gender responsive use of force procedures.
c. Roster or documented training for security staff in use of force.
d. Copies or review on site use of force documents and video demonstrating gender responsive use of force procedures.
e. Interviews with Warden, Capt. McClain, Lt. Young, shift captains, video camera operators, Dr. Williams, DOC PREA Director, Lt. Coleman.
f. Interview with Andie Moss to verify the policy is gender responsive per national standards.

GOVERNING discipline of women inmates
a. Policy and SOP for comprehensive discipline system adapted for use at Tutwiler

b. Curriculum for staff training for applying these procedures
c. Review of random completed disciplinaries on inmates from time of implementation of new procedures
d. Review of segregation records (assignments, why, how long) since new discipline system implemented
e. Interview with Warden, Capt. McClain, Lt. Young, disciplinary hearing officer, individual responsible for hearing disciplinary appeals, Dr. Williams
f. Interview with Andie Moss.
g. Focus groups with staff and inmates.

Monitor will review each Tutwiler SOP under current review/ revision for gender responsive principles. Currently, Commissioner Williams reports there are 17 in process. They are listed on the spreadsheet developed by Dr. Williams.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC 454 and Tutwiler Sop 8-12 2. Gender Responsive curriculum, developed by the Moss Group. Moss Group used this curriculum to train Tutwiler Master Trainers and all staff have been trained. This curriculum was developed with a number of best practice policies at the NRCJIW (National Resource Center for Justice involved Women). In addition, the National Institute of Corrections provided technical assistance to Alabama through Dr. Marilyn Van Dieten for the development of a gender responsive policy for ADOC in September 2014. 3. Deputy Commissioner Williams developed a comprehensive spreadsheet to track every phase of policy development, review and final implementation. This spreadsheet details the SOPs in development, revision or review that will reflect gender responsive principles. Approximately 17 of these draft policies/ procedures are in progress 4. Tutwiler maintains a log for inmate disciplinaries and sanctions imposed since May 30-current time. Captain Sharon Rogers maintains this log and it is reviewed routinely by Warden Barrett and Warden I Wright at Tutwiler. Monitor reviewed this detailed comprehensive log.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Ms. Christy Vincent, ADOC PREA Director 4. Captain McClain 5. Lt. Young 6. Andie Moss, the Moss Group	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16
☐ Substantial Compliance ☐ Partial Compliance ☐ Non-compliance ☒ n/a monitor granted an extension until 5/28/16	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted, and 3) baseline and compliance visits.

1. ADOC AR 454 and Tutwiler SOP 8-12 require the development and implementation of a number of policies at Tutwiler for full implementation of the PREA standards and the settlement. This provision specifically requires that the policies developed or revised, be gender responsive in the areas of 1) use of force for female inmates and 2) discipline of the female inmates. ADOC has identified currently 17 such draft policies and the Monitor agrees with these selections. It is understood that ADOC will continue to identify policies that are subject to this provision.
2. ADOC created a process/spreadsheet to track policies in the development and eventual implementation process. This is a excellent document that provides information for all parties about the status of various policies, as required by the settlement. Monitor has this spreadsheet available to assist in reviewing submitted policies.
3. ADOC asked The Moss Group to submit draft policies to designated expert consultants in the field of policy for inclusion of gender responsive principles. In addition, ADOC requested the Moss group use the resources available through the "National Resource Center for Justice Involved Women" . The monitor believes this is a good process for a national "best practices" review of Tutwiler policies before final approval and implementation. The monitor and DOJ will review these policies and give feedback to ADOC.
4. The initial work at Tutwiler for gender responsive training and strategic planning occurred in July 2014 and was funded through a grant from the National Institute of Corrections. Dr. Marilyn Dieten, a nationally recognized expert in this field, completed an analysis and provided a draft for a Gender Responsive policy in September 2014. This document is currently used by Captain McClain and others at Tutwiler in the initial policy development process. ADOC states that it is their intention that the Moss Group will assist in developing an AR for ADOC for use in the agency.
5. ADOC will utilize reviews by national experts with experience in gender responsive "Use of Force and Inmate Disciplinary " policies for guidelines in their development of revising these two current ADOC policies. Monitor notes that these revisions can have significant agency-wide impact on ADOC, and its similar policies currently in practice across the agency, not only on Tutwiler. The process for development of a gender based disciplinary system will be an extensive, lengthy total process.
6. Regarding the current Tutwiler use of force incidents, they are all reviewed by the Warden and the Deputy Commissioner for Women's Services. The current UOF policy was issued on May 13, 2015.
7. Tutwiler implemented a process for a continuous review of disciplinary charges and sanctions for inmates. Captain Sharon Rogers completes a weekly log of all disciplinary hearings, outcomes of these hearings and final approved sanctions for inmates. Warden Barrett and Warden I Gwendolyn Tarrance both review these logs weekly. The monitor reviewed the logs from June 1- November 13, 2015. There is specific information captured on each incident; date, location of incident, charging staff, rule violation and circumstances and the hearing date, findings and sanctions . The final approval of sanctions is by Warden II Tarrance. The monitor will review specific data from these logs in next compliance review after the data collection process has been initiated. The logs have enough information that trends can be tracked.
8. ADOC has asked the Moss Group to develop a "Gender Responsive Discipline. And Sanctions policy" for Tutwiler, incorporating the work of the NRCJIW, titled "'Gender Responsive Discipline and Sanctions Policy Guide for Women's Facilities". Monitor was a participant in some of the expert feedback for the development of this guide.
9. Other SOPs under revision to incorporate gender-responsive strategies include:
• All Post Orders

- Gender Specific Posts (5-23)
- Referrals to Mental Health Services (6-2)
- Reception Mental Health Screening (6-4)
- Crisis Intervention (6-6)
- Mental Health Watch Procedures (6-9)
- Closed Residential Treatment Units (6-11)
- Mental Health Unit Dormitory H Stabilization (6-12_
- Mental Health Dormitory H Religious Services (6-14)
- Incentives for Residential Treatment Unit Inmates (6-15)
- Institutional Security, Sanitation, & Security Control (7-3)
- Use of Electronic Restraining Equipment (7-6)
- Search of Inmates (7-7)
- Inmate Count Procedures (7-9)
- Emergency Medical Treatment (7-10)
- Inmate Hunger Strikes (7-11)
- Pregnant Inmates / Placement of Infants / Death of Inmates and / or Inmate Mothers (7-14)
- Crisis Messages (7-16)
- Security Threat Groups (7-17)
- Inmate Visitation Privileges, Denial, and Suspension (7-19)
- Staff / Inmate Relationships (7-29)
- Reception and Orientation (7-20)
- Inmate Transport (8-3)
- Sexual Abuse and Harassment – PREA (8-12)
- Inmate Personal Property (8-14)

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted, and 3) baseline and compliance visits.

1. ADOC has developed an excellent process for required policy development, review and implementation. This process includes specific review for gender responsive principles. ADOC provides an updated spreadsheet for all parties to track these policies.

2. ADOC has indicated that they will request a three month extension of this provision from the Monitor. All parties were made aware of this future request during the compliance visit.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Continue the current process of policy review by the Moss Group and various national experts for more gender responsive principles. ADOC needs to request an updated schedule for these reviews routinely so they can keep all parties knowledgeable of the timeframes. 2. ADOC needs to begin tracking specific data from the inmate disciplinary logs. This data should include at a minimum : a. Identification and position of charging staff- b. Types of charges c. Location of offenses d. Number of types of sanctions imposed-how often are visiting privileges suspended-how often does disciplinary segregation get imposed, etc. e. Inmates demographics-race, age, housing would be good 3. ADOC will begin reporting data, per IV. D. 2. ii. 3 in May 2016 for Use of Force.	1. Ongoing 2. Report data in May, 2016 3. May, 2016

GENERAL POLICIES AND PROCEDURES III.A. ADOC and Tutwiler shall DEVELOP and IMPLEMENT gender-responsive policies, procedures and practices to ensure that inmates at Tutwiler are protected from harm due to sexual abuse and harassment									
	Policy						Develop Policy	Implement Policy	
5. Shall **continue to develop**, submit to the Monitor and DOJ for review consistent with III.A.6, and implement facility-specific policies and operational practices specific to Tutwiler's population regarding the supervision and monitoring necessary to prevent inmates from being exposed to unreasonable risk of harm from sexual abuse and harassment.	III.A.5						**May 28, 2015** AND February 28, 2016	**May 28, 2015** AND February 28, 2016	
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
Specific to Tutwiler's population;	Y	N	N/A	Y	N	N/A	Y	N	N/A
Post orders for first-line supervision of corrections staff for each housing unit in accordance with the operational practices developed;	Y	N	N/A	Y	N	N/A	Y	N	N/A
Procedures regarding communication to and from corrections staff assigned to housing units;	Y	N	N/A	Y	N	N/A	Y	N	N/A
The **continued requirement** of supervision by corrections staff assigned to all housing areas and dormitory settings including:	Y	N	N/A	Y	N	N/A	Y	N	N/A
1. Direct supervision of Dorm A, if that unit continues to be used for intake	Y	N	N/A	Y	N	N/A	Y	N	N/A
2. Administration of adequate rounds by **corrections staff and security supervisors** in all areas of prison, including dormitories	Y	N	N/A	Y	N	N/A	Y	N	N/A
3. Such rounds shall occur unannounced, at least every hour, inside each general population housing unit	Y	N	N/A	Y	N	N/A	Y	N	N/A
4. Such rounds shall occur at least once every 30-minute period for special management inmates, or more often if necessary.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Video surveillance may be used to supplement, but must not be used to replace rounds by correctional officers;	Y	N	N/A	Y	N	N/A	Y	N	N/A
The **continued requirement** that intermediate level or higher-level supervisors conduct and document unannounced rounds during both the day and night shifts to identify and deter staff sexual abuse and sexual harassment;	Y	N	N/A	Y	N	N/A	Y	N	N/A
1. Other staff members should not be alerted that these rounds are occurring;									
The **continued requirement** to document all security rounds on forms or logs that do not contain pre-printed rounding times	Y	N	N/A	Y	N	N/A	Y	N	N/A

MONITOR'S MEASURES OF COMPLIANCE
A. SOPs from Tutwiler for direction and implementation of this directive. B. Post orders from Dorm A and another dorm giving COs instructions. C. Methods of communication from dorm to dorm for staff-SOP. D. All documents, logs, reports that capture the required rounds by supervisors-3 months (August-October). E. Documents/logs that show the direct supervision of Dorm A. F. Review video surveillance by direct observation in camera room and interviews with camera staff. G. Focus groups with staff and inmates. H. Dormitory(s) shift logs and any reports created by Lt. Young or shift commanders, that document the required "unannounced rounds" conducted by "intermediate or higher level staff". The logs should include both shifts, day and night. I. Any monthly reports generated by the Warden, PREA Coordinator or A Warden I that routinely capture the compliance with these unannounced rounds. J. Interviews with PREA and settlement captains, Warden and two shift supervisors.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Tutwiler SOP 5.0 Dormitory Security. It was published originally at Tutwiler on July 16, 2015. The Monitor contract was issued in September and this SOP was reviewed by Monitor and DOJ. After receiving comments from Monitor and DOJ, ADOC decided to submit the comments to the Moss group for their review and we await the final ADOC SOP 5.0 product at time of this report. 2. SOP 5.0 drafts have methods of communication between staff supervising these housing areas and supervisors 3. SOP 5.01 specifically describes the direct DORM A supervision requirements for 24/7. Supervision by assigned correctional officers 4. Review of Tutwiler shift duty rosters for all housing units for the months of August, September and October 2015. These rosters show the daily assignment of officers to each housing unit for both A and B day/night rotation of the officers sign in	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Lt. Nelson and Lt. Goodson, shift commanders 6. Sergeant Finch, Camera room/ video surveillance supervisor 7. Four staff focus groups 8. Warden I Wright	1. Baseline Monitor tour September 28-October 1, 2015. Monitor spent thirty minutes in camera room, as well as touring entire institution 2. Monitor Compliance tour, including specific time in camera room and observations of camera operations.

and out of their assigned areas. 5. Duty Post logs on September 22, 2015 for every housing area at Tutwiler. The Monitor randomly selected this date. These logs document, by signature and time, the unannounced rounds by shift supervisors and upper management officials at Tutwiler. 6. Notebook maintained by Lt. Young, PREA Coordinator, that contain logs/emails that document the unannounced rounds made by management staff at Tutwiler in housing areas. These staff includes all wardens, PREA Lt., Captain McClain. 7. Tutwiler shift commander PREA check reports for October 2015. They document the exact times the rounds begin and end on each date and the signatures of the shift supervisors. 8. Video camera system policy, logs and camera operations.		

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a monitor granted an extension until 5/28/16

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor evaluates steps taken by ADOC and Tutwiler by 1) interviews, as noted; 2) review of documents, as noted, and 3) baseline and compliance visits.

Requirements (summary)
Post orders for correctional officer supervision in housing areas
Procedures for communication to and from staff in housing areas

1. Tutwiler published and implemented SOP 5.0 on July 16, 2015. This SOP provides the guidance for correctional officer dorm supervision, as required, for each housing area at Tutwiler.

> Note: This SOP was implemented prior to the appointment and contract for the settlement Monitor. The Monitor was placed on contract in mid September. Since the Monitor had not had the opportunity to review drafts of these policies, ADOC shared them with the Monitor and DOJ as "drafts" . ADOC received comments from both Monitor and DOJ. Monitor concurred with ADOC decision to ask the Moss Group to review SOP 5.0, along with other policies for any gender responsive issues and /or national standard protocols for similar procedures. The Monitor and DOJ will review the revised "drafts" as soon as received. Currently, Tutwiler operates according to SOP 5.0 and the Monitor evaluates their performance according to these procedures.

2. Tutwiler SOP 5.0 has the required duties and responsibilities for monitoring and supervising the inmates to prevent inmates from being exposed to sexual abuse and sexual harassment. It also contains directives about staff communications between dorms and the facility shift leaders.

3. Interviews with Tutwiler staff reflected that in this provision all were very knowledgeable of the current SOP 5 requirements. The randomly selected staff focus groups also reflected that staff was knowledgeable of their responsibilities regarding supervision.

4. Monitor observations noted during both visits that staff were assigned to all housing areas and were engaged in managing their responsibilities at that time.

Requirements:

- *Continued Requirement for supervision by staff, to include unannounced rounds by security supervisors, hourly in each housing unit and every 30 minutes in special management housing.*
- *Direct supervision of Dorm A*
- *Continued Requirement for shift commanders and upper management at Tutwiler to conduct unannounced rounds*

1. SOP 5.0 draft includes all the requirements of this section for supervision and unannounced rounds.
2. All Tutwiler staff received training in these procedures in July 2015.
3. Monitor review of Tutwiler duty post logs for September 22, 2015, for EVERY housing area. Monitor saw documentation in the logs of assigned CO actions and the presence of shift supervisors routinely coming into their housing area.
4. Monitor review of Tutwiler shift duty rosters from August-October 2015 revealed the assignment of officers daily, on both rotations, and unannounced rounds being made by shift commanders and upper management at Tutwiler.
5. SOP 5.01 described specific duties for supervising Dorm A on every shift.
6. Lt. Young maintained a notebook, as PREA Coordinator, that contained logs and emails documenting unannounced rounds by shift supervisors and upper management. It was clear to Monitor this provision is and has been followed since the requirement began with the settlement agreement.
7. Staff and inmate focus groups confirmed procedures used in this provision.

Requirements:

- *Video Surveillance system*

1. SOP 5-24 Video Surveillance has been in operation at Tutwiler since November 2014.
2. Monitor observed the operations of the video system on both visits. These observations clearly indicate the usefulness and accuracy of using video review for determining if rounds are being made, and by whom, in the housing areas. It is NOT the primary method of documenting dorm rounds.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor evaluates ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted, and 3) baseline and compliance visits. 1. Tutwiler implemented SOP 5.0 in July 2015 and staff was trained to observe and perform duties outlined in the procedures. 2. Numerous documents, as noted, demonstrate that unannounced rounds are being conducted per this provision. 3. Shift assignment rosters demonstrate the assignment of officers to all housing areas 24-7, including Dorm A. 4. Implementation of excellent video surveillance system that is being used frequently in compliance for various PREA issues. 5. Baseline visit of every housing area and informal questions to supervising officers indicated their knowledge of their responsibilities as required by this provision. 6. Staff and inmate focus groups confirmed these practices.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Implement any revisions to SOP 5.0 currently in use at Tutwiler. 2. Train staff on any revisions made to SOP 5.0 that differs from content of draft policy. 3. Staff making unannounced rounds SHOULD sign their name or initials on the dorm activity log themselves. In the review of these logs, during compliance visit, Monitor noted to Tutwiler Warden that several entries of shift commander rounds had been noted in the log by the assigned CO. 4. Staff making unannounced rounds should attempt to routinely engage the supervising officer on each round-enhancing communication between CO and upper management. 5. Continue data collection IT development process for the Risk Management system in IV. D. 6. Several portions of Section IV.D – Risk Management System, are contained in SOP 5-0 and subsequent Post Orders, and will be monitored to track staff adherence. Data will be aggregated every six months as required by the Agreement. Those sections include, but are not limited to: 1) staff presence in the shower and toilet areas of the bathroom; 2) staff located in areas other than their assigned posts; 3) violation of privacy rights of inmates by entering the shower and toilet areas; and 4) using sexual explicit, vulgar, degrading, or racially insensitive or offensive language on a frequent or repeated basis.	1. Upon final approval of revised SOP 5.0 by ADOC 2. As needed 3. Immediate 4. Immediate 5. Ongoing 6. May, 2016

CAMERA MANAGEMENT III.B. The ADOC has implemented a state-of-the-art camera system at Tutwiler, and contracted with an expert who has conducted a review of the ADOC's Camera Plan, including a review of each camera's placement. As a result of that review, cameras are strategically placed to maximize supervision while protecting privacy. Policies directing the appropriate use of cameras and periodic staff training to ensure sustainability and effective operation of the camera system will remain as standard operational practice.				
	Policy		Develop Policy	Implement Policy
1. Camera management **policies and procedures will remain in effect** at Tutwiler	III.B.1		May 28, 2015	May 28, 2015
REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented	
Camera management policies	Y N N/A	Y N N/A	Y N N/A	
Camera management procedures	Y N N/A	Y N N/A	Y N N/A	

MONITOR'S MEASURES OF COMPLIANCE
A. Policy and SOPs for their Video Surveillance. B. Direct observation of cameras in video room. C. Interviews with video supervisor and operators. D. Background experience, race and sex of camera operators. E. Incident reports in last six months that "captured" a PREA violation on surveillance. F. Monthly maintenance checklists for last three months. G. Training schedule for operators. H. Incident reports on "serious, suspicious and unusual incidents" that were completed in last three months. F. Staff roster for two months showing 24 hour posting. G. Interviews with Captain overseeing program and Warden. H. Documents regarding any changes to camera policy.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Tutwiler SOP 5-24 (formerly 5-33) Video surveillance (published 11/20/14). 2. Staff Training provided by Moss Group in July 2014. System was launched August, 2014. 3. Background and experience of all current operators. 4. Monthly maintenance records for camera system, November, 2015. 5. Incident reports from June-November, 2015 that related to a PREA related issue/violation. Reviewed. 6. Staff rosters for months of August – October, 2015 showing 24 hour staffing. 7. Logs kept in the camera room that document requests to view footage.	1. Dr. Wendy Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young (PREA) 5. Lt. Coleman (Grievances) 6. Shift Commanders: Lt. Goodson, Lt. Nelson 7. Sergeant Finch (camera room supervisor) 8. Camera room operators on 12/1/15. 9. Andie Moss, the Moss Group 10. Staff and Inmate focus groups 11. Internal Affairs – Kelley Smith	Monitor toured Tutwiler on September 29, 2015. At that time, Monitor went into camera room and received detailed explanation of all cameras. Monitor asked to see the cameras that had 'camera blocks' for privacy. Monitor observed all of these and was satisfied they were effective. Sergeant Finch was present and answered all Monitor's questions about 24 hour staffing, daily and monthly maintenance, qualifications of the camera operators, and the working relationship of Tutwiler and the camera vendor for troubleshooting. Monitor revisited the camera room on December 1, 2015, during compliance visit. Monitor talked to Sergeant Finch about the annual review that was conducted on that specific morning. Sergeant Finch made several suggestions for slight alterations of camera angles and expects that they will be implemented by mid-February 2016.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

Requirements (summary)
1. Camera management policies
2. Camera management procedures

1. ADOC AR 454 - PREA compliance policy and procedures.
2. Tutwiler SOP 5-24 Video Surveillance. It was published 11/20/14.
3. Moss Group provided staff training in July 2014 and the system was implemented in August 2014.
4. Monitor reviewed the resume of each employee selected to work in the camera room and found them experienced in the requirements for this position. It is noted that ADOC specifically recruited staff who have a background in camera monitoring and working in law enforcement.
5. Monitor reviewed Tutwiler maintenance records for November 2015 for the camera system.
6. Monitor reviewed the camera room work rosters from June-November 2015 to verify the 24 hour staffing.
7. Monitor reviewed the logs maintained in the camera room that document various requests to view and use camera footage in investigations, and grievance responses.
8. Monitor reviewed Tutwiler incident reports that documented any PREA allegation from June-November to review the use of the camera system in the incident investigations. Monitor observed that these investigations routinely use the review of camera footage in investigations where the footage can be of evidentiary value
9. Monitor reviewed all grievances submitted at Tutwiler from September-November and saw that Lt. Coleman used the footage to assist him in responding to some of the grievances.
10. Monitor interviewed Ms. Kelley Smith, ADOC Investigator, regarding her process for conducting PREA investigations. Ms. Smith stated she always used a review of camera footage during her Tutwiler PREA investigations.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted, and 3) baseline and compliance visits.

1. Tutwiler SOP 5-24 -Video Surveillance. Implemented in August 2014.

2. Monitor baseline and compliance visits involved spending time in the camera room. Monitor observed the effective operation of the system. Monitor interviewed Sgt. Finch, system supervisor, on both occasions and the staff working. Monitor found staff knowledgeable of the purpose, operations and rules regarding the use of the video system.

3. Monitor review of rosters of staff indicate the system is operating 24/7, 365 days a year at Tutwiler. 4. On the compliance visit, the annual review had just been conducted on 12/01/15. It was a good review.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Annual review of camera operations	1. December, 2016

CAMERA MANAGEMENT III.B. The ADOC has implemented a state-of-the-art camera system at Tutwiler, and contracted with an expert who has conducted a review of the ADOC's Camera Plan, including a review of each camera's placement. As a result of that review, cameras are strategically placed to maximize supervision while protecting privacy. Policies directing the appropriate use of cameras and periodic staff training to ensure sustainability and effective operation of the camera system will remain as standard operational practice.				
	Policy		Develop Policy	Implement Policy
2. Camera management policies and procedures, including the locations where cameras have been placed, will be reviewed at least annually to ensure they are serving their goal of maximum supervision.	III.B.2		May 28, 2015	May 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Ensure that cameras are serving their goal of maximum supervision.	Y N N/A	Y N N/A	Y N N/A
To the extent that any changes to the Camera Management policies and procedures, or to a camera location, need to be made they will be made within 30 days of the completion of the annual review.	Y N N/A	Y N N/A	Y N N/A
If a change cannot be made within 30 days, the reason for exceeding 30 days will be documented.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
1. Schedule for annual reviews, to include the December 2015 review. 2. Written report of annual review. 3. Documentation that changes recommended by annual review have been completed within 30 days of the review. 4. Monitor will review PREA incident reports, inmate grievance investigations and PREA investigations conducted by ADOC Division of Investigations and Intelligence. These reviews will determine if the video surveillance system is being used appropriately, consistent with the requirement to provide maximum supervision.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Settlement Agreement III, B. 1. 2. Tutwiler SOP 5-24 (formerly 5-33) Video surveillance (published 11/20/14). 3. Staff Training provided by Moss Group in July 2014. System was launched August, 2014. 4. Background and experience of all current operators. 5. Monthly maintenance records for camera system, November, 2015. 6. Incident reports from June-November, 2015 that related to a PREA related issue/violation. 7. Staff rosters for months of August–October, 2015 showing 24 hour staffing. 8. Logs kept in camera room that document requests to view footage. 9. Annual review conducted on 12/3/2015. 10. Review of Tutwiler PREA investigations, inmate grievance investigations to determine if the video system footage was used to complete investigations. 11. Review of ADOC Division of I+I PREA investigations at Tutwiler that used the camera footage in investigations. 12. Report from December 3, 2015 annual review.	All conducted week of 12/1-4, 2015 1. Dr. Wendy Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young (PREA) 5. Lt. Coleman (Grievances) 6. Shift Commanders: Lt. Goodson, Lt. Nelson 7. Sergeant Finch (camera room supervisory) 8. Camera room operators on 12/1/15. 9. Andie Moss, of the Moss Group 10. Staff and Inmate focus groups Internal Affairs – Kelley Smith	Monitor toured Tutwiler on September 29, 2015. At that time, Monitor went into the camera room and received a detailed explanation of all cameras and their operation. Monitor also asked to see the cameras that had 'camera blocks' for privacy. Monitor observed all of these and was satisfied the camera operations were effective, and included appropriate privacy blocks. Sergeant Finch was present and answered all Monitor's questions about 24 hour staffing, daily and monthly maintenance, qualifications of the camera operators, and the working relationship of Tutwiler and the camera vendor for troubleshooting. Monitor revisited the camera room on December 1, 2015 during compliance visit. Monitor talked to Sergeant Finch about the annual review that was conducted on that specific morning. Sergeant Finch made several suggestions for slight alterations of camera angles and expects that they will be implemented by 12/7/15. Monitor asked almost all staff interviewed at Tutwiler about the acceptance of the camera system and its value. Every employee interviewed was 100% supportive of the value of the video surveillance. The four staff focus groups and one inmate focus group were all supportive of the camera system. In Monitor's interview with Lt. Coleman, who manages

		the grievance system, he stated he routinely uses camera footage to resolve issues related to grievances. Monitor interviewed Lt. Young about her initial actions taken regarding PREA allegations. She routinely reviews camera footage in her process. Monitor interviewed ADOC Internal Affairs Investigator, Kelley Smith. She stated she routinely reviews on-camera footage in her PREA investigations.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16
☒ Substantial Compliance	
☐ Partial Compliance	
☐ Non-compliance	
☐ n/a no assessment due until _____	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

Requirements (summary)
1. Camera management policies
2. Camera management procedures

1. ADOC AR 454 and Tutwiler SOP 8-12- PREA compliance policy and procedures.
2. Tutwiler SOP 5-24 Video Surveillance. It was published 11/20/14.
3. Moss Group provided staff training in July 2014 and the system was implemented in August 2014.
4. Monitor reviewed the resume of each employee selected to work in the camera room and found them experienced in the requirements for this position. It is noted that ADOC specifically recruited staff who have a background in camera monitoring and working in law enforcement.
5. Monitor visited camera room on the afternoon after the annual review. The review found all cameras working, maintenance records appropriately maintained, logs maintained for visitors who enter camera room and requests for any review of specific camera footage. Sgt. Finch stated he made a few recommendations for angle changes to some cameras. Monitor was notified that the warden requested the vendor make these changes to be made as soon as possible. This request comes AFTER ADOC signed a contractual maintenance agreement with the installation vendor in January 2016. The monitor has observed the camera operations on both visits. There is excellent coverage by the cameras of the important inmate areas at Tutwiler, while still respecting personal privacy boundaries. Monitor observed the use of the "privacy screens" in camera operations and found them adequate and acceptable.
6. Monitor reviewed the camera room work rosters from June-November 2015 to verify the 24 hour staffing.
7. Monitor reviewed the logs maintained in the camera room that document various requests to view and use camera footage in investigations, grievance responses.
8. Monitor reviewed Tutwiler incident reports that document any PREA allegation from June -November to observe the use of the camera system in the investigations. Monitor observed that these investigations routinely use the review of camera footage in investigations where the footage can be evidential
9. Monitor reviewed all grievances submitted at Tutwiler from September-November and saw that Lt. Coleman used the footage to assist him in responding to some of the grievances.
10. Monitor interviewed Ms. Kelley Smith, ADOC Investigator, regarding her process for conducting PREA investigations. Ms. Smith stated she always used a review of camera footage during her Tutwiler PREA investigations. During the interview, monitor discussed one specific case at Tutwiler. Ms. Smith discussed her investigatory protocol: she reviews any videotape for the location of an "incident" if applicable, at the beginning of any of her investigations onsite at Tutwiler. She takes a copy of the video footage to a private area and views it as long as she feels is necessary. She uses the knowledge gained as important information guiding her selection of witnesses for interviews and actual interview of the inmate. Ms. Smith and Director Mercado both stated the camera system was a critical investigative tool at Tutwiler.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. Tutwiler SOP 5-24 -Video Surveillance. Implemented in August 2014. 2. Monitor baseline and compliance visits involved spending time in the camera room. Monitor observed the effective operation of the system. Monitor interviewed Sgt. Finch, system supervisor, on both occasions and the staff working. Monitor found staff knowledgeable of the purpose, operations and rules regarding the use of the video system. 3. Monitor review of rosters of staff indicate the system is operating 24/7, 365 days a year at Tutwiler. 4. On the compliance visit, the annual review had just been conducted on 12/01/15. It was a good review. 5. Monitor and DOJ recently (January 28, 2016) reviewed two investigations, #'s 16-0088 and 15-5157 that used the video footage for significant investigative evidence regarding the allegations.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Continue process for annual reviews date. 2. Continue to utilize the camera footage for various investigative assistance to Tutwiler and ADOC I+I Division.	1. December, 2016 2. Ongoing

STAFFING III.C In order to address low staffing levels and the need for more women officers, ADOC and Tutwiler shall ensure that correctional staffing and supervision is sufficient to adequately supervise inmates and staff and allow for the safe operation of Tutwiler.									
	Policy						Develop Policy	Implement Policy	
1. (i) ADOC and Tutwiler shall **continue to develop**, submit to the monitor and DOJ to assess for compliance with this agreement and implement its plan to recruit women correctional officers at Tutwiler	III.C.1						*ADOC?*	May 28, 2015 *AND* November 28, 2015	
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
Continue to work with the Alabama Peace Officer Standards and Training Commission (APOSTC) in screening, selecting, or hiring applicants for the entry-level corrections officer positions **until** such standards, or any other physical test employed, are:	Y	N	N/A	Y	N	N/A	Y	N	N/A
1. validated for a corrections environment; and	Y	N	N/A	Y	N	N/A	Y	N	N/A
2. examined for the necessity of gender-norming certain components.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Continue to conduct physical fitness assessments on all correctional office trainees, to include the provision of training recommendations to meet APOSTC physical training requirements.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Examine workplace practices such as mandatory overtime and shift length to assess whether any of those practices may negatively impact hiring and retaining women candidates.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Continue the practice of allowing officers from other ADOC facilities to serve overtime or otherwise be temporarily assigned at Tutwiler only after those officers have been trained as required by this agreement.	Y	N	N/A	Y	N	N/A	Y	N	N/A
By November 28, 2015 and every six months thereafter, provide to the Monitor and DOJ the numbers of men and women who have taken any required entry-level physical examintion(s) and the results of any such tests broken down by gender for each test administration.	Y	N	N/A	Y	N	N/A	Y	N	N/A
ADOC shall **continue to employ** an upper-level, Department-wide PREA Director with sufficient time and authority to develop, implement, and oversee its efforts to comply with the PREA standards at Tutwiler and all of its facilities.	Y	N	N/A	Y	N	N/A	Y	N	N/A

Designate a full-time (40 hours/week) PREA Compliance Manager who: 1. Has no other duties within ADOC or Tutwiler and who is assigned to oversee PREA compliance at Tutwiler. 2. Works closely with the PREA Compliance Managers at Montgomery Women's Facility and Birmingham Work Release for consistency in women's services. 3. Monitors any other facility that is built to house women inmates on PREA-related matters. 4. Has sufficient authority to coordinate Tutwiler's efforts to comply with the PREA standards.	Y N N/A	Y N N/A	Y N N/A
ADOC and Tutwiler shall ensure that Tutwiler's PREA Compliance Manager reports directly to the Warden or the Department-wide PREA Coordinator.	Y N N/A	Y N N/A	Y N N/A
Develop, in policy, a job description for Tutwiler's PREA Compliance Manager with expected responsibilities and submit the policy to the Monitor and DOJ for review.	Y N N/A	Y N N/A	Y N N/A
Provide training to the Tutwiler PREA Compliance Manager necessary to fulfill his or her duties.	Y N N/A	Y N N/A	Y N N/A
Document the Tutwiler PREA Compliance Manager's activities.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

A. Documentation of work by ADOC with the Alabama Peace Officers Standards and Training Commission on efforts to hire applicants.
B. Six months of DOC HR personnel actions at Tutwiler.
C. Interview of appropriate central office manager who is directly involved in these efforts.
D. Interviews with Commissioner, Dr. Williams and Training Director, if applicable.
E. Documents regarding the procedures currently utilized for the physical fitness assessments of new applicants and the curriculum used.
F. Three (3) months of staff assignment rosters at Tutwiler-highlighting the staff working that are on overtime status. Documents showing their PREA training.
G. Interview of at least two of these staff working during my visit.
H. Documents establishing their PREA training; signature pages are sufficient.
I. Plans for the required every six months report of test results of physical exams by gender.
J. Job description of DOC PREA Director.
K. Interviews with DOC PREA Coordinator and Dr. Williams.
L. Job description of Tutwiler PREA Compliance Manager.

K. Interview with facility PREA Compliance Manager, including discussion of job duties relative to Tutwiler, Montgomery+Birmingham facilities and production of any work documents she created/that were created to assist her in her daily responsibilities, such as checklists, etc.
L. Documents that capture her monthly duties, including monthly reports to Wardens, Dr. Williams.
M. Interviews with Warden Barrett, Captain McClain.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Sample Staffing report for all female facilities. It indicated women represented 69 percent of the total security staff at Tutwiler. 2. Roster showing all staff positions at Tutwiler, by numbers of positions and classification. 3. Tutwiler SOP 15-25 Staffing plan. NOTE: It is currently under review. 4. ADOC Trainee Physical Fitness contract agreement. It describes APOSTC standards. 5. Correctional Officer Trainee PT Short Term Goal Assessment results for all new officers for August, September and October 2015. These charts document the pre-academy physical training (requirement for DOC testing physical fitness of new recruits). 6. DOC personnel records of staff movements, including separations at Tutwiler for six (6) months. 7. Tutwiler staff rosters for three (3) months that designate officers who are in overtime status. Documentation of their PREA training. 8. Job duties for Tutwiler PREA Compliance Manager, currently Lt. Young. 9. Job duties for ADOC PREA Director. 10. Calendar of ADOC recruiting events across the state, January-November 2015. 12. List of training completed by Tutwiler PREA Compliance Manager (interview and Moss Group sponsored training).	1. Deputy Commissioner Williams 2. Tutwiler Warden Barrett 3. Captain McClain 4. Lt. Young 5. Four staff focus groups 6. ADOC Personnel Director Bill Lawley 7. ADOC Deputy Commissioner Matt Brand, Training and Development 8. Captain Mark Loman--Recruitment Specialist for ADOC 9. ADOC PREA Director, Christy Vincent 10. ADOC Commissioner Dunn	1. Monitor Baseline tour 2. Monitor Compliance tour 3. Staff interviews

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16
☐ Substantial Compliance ☒ Partial Compliance ☐ Non-compliance ☐ n/a no assessment due until _____	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor evaluates steps taken by ADOC and Tutwiler in 1) interviews as noted, 2) review of documents, as noted, and 3) baseline and compliance tours.

Requirements (summary)
1. Continue work with Alabama Peace Officers Standards and Training Commission (hereafter "APOSTC") on screening, selecting, hiring CO applicants

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1. ADOC Commissioner Dunn appointed Mr. Matthew Brand as Deputy Commissioner for Training and Development in September 2015. He is a retired Air Force Colonel who worked extensively in training and education and standards for staff. The Commissioner asked Mr. Brand to review, assess the current physical fitness standards for male and female staff recruits and the APOSTC fitness standards. In his interviews, Mr. Brand was familiar with this provision of the settlement and his responsibilities. He is tasked with reviewing the correctional officer hiring process as a part of this provision.

Mr. Brand is developing a short and long-range strategic plan for ADOC to address these issues and a number of other staffing/training issues.

The Monitor is impressed with Deputy Commissioner Brand and his passion and expertise for his areas of responsibility. The Monitor is also personally familiar with a state "Training and Standards Criminal Justice Commission" and the difficulty in making any significant changes related to the duties of correctional officers, particularly in view of a Commission's concerns regarding its other responsibilities for law enforcement certification. It is believed Mr. Brand will continue to make progress in working with them over a period of time.

In addition, the Moss Group will assist ADOC in conducting a staffing analysis in 2016 to address specific needs and operational realities of staffing at Tutwiler.

Captain Mark Loman reports to Mr. Brand and previously/currently works on staff recruitment issues, statewide. Monitor saw a schedule of job fairs and efforts made specifically for recruitment at Tutwiler.

Requirement
2. Continue to conduct physical fitness assessments on all CO trainees, including the APOSTC standards currently used at the academy.

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1. ADOC continues to conduct physical fitness assessments. There is an ADOC physical fitness contract signed by every trainee. It describes the required APOSTC fitness standards that recruits have to pass at the academy. The contract also provides recommendations for activities and exercises recruits can do to improve their skills.
2. Monitor reviewed CO Trainee Short Term Goal assessment results for all new officers in August, September and October. It was evident that the pre-academy training efforts are having positive impacts on passing rates at the academy. The success for women passing the academy fitness tests went up each month.
3. Captain Elliott Sanders is the Academy Commander and is tracking this data and reporting it to Deputy Commissioner Williams.
4. Monitor reviewed the COT (correctional officer trainee) pre-academy training results for the months of August, September, October 2015. In August, 4 women passed/2 failed.In September, 6 passed/1 failed. In October, 5 women passed /1 failed. ADOC provides this pre-academy training and testing. They use the APOSTC physical fitness standards.

5. Monitor reviewed the ADOC Training Academy APOSTC test results for the training class 2015-2 and 2015-3.
-Class 2 : 21 women took the first test and 19 passed the test.
-Class 3: 18 women took the first test and 15 passed the test.
6. The monitor believes the COT pre-academy training is preparing female recruits for successful completion of the APOSTC first test given all new academy students on the first day of the academy.

Requirement
3. Continue to allow the use of "overtime staff" at Tutwiler, if properly trained. Examine the use of overtime and shift schedules at Tutwiler to see if it has effects on hiring and retaining women staff. The term "overtime" means staff assigned to other prisons and who volunteer to work "overtime" at Tutwiler to fill in critical vacancies.

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1. Review of rosters of staff assigned at Tutwiler for three months to identify all staff working in "overtime" status. Monitor saw that all overtime staff working had received PREA training and some also had completed the Gender Responsiveness training. Tutwiler informed all staff approved to work overtime of the mandate that they HAD to receive required training by 12/31/15, and if they had not they could not work at Tutwiler anymore until trained.
2. Tutwiler SOP 9-5 is under review. It is responsive to the training requirement for overtime staff and the use of this staff at Tutwiler.
3. The Warden and his executive staff routinely review the staffing vacancies and challenges regarding retention of officers. It is their opinion that the use of mandatory overtime and shift schedules have not had a negative impact on retention.
**Monitor suggested to Warden Barrett that he conduct exit interviews with all staff in a structured manner, in order to receive data about separations.

Requirement
4. By November 2015, ADOC will provide to Monitor and DOJ, the numbers of recruits taking and passing/failing the fitness tests, broken down by gender. This will occur every six months

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1. This information has been tracked since June 2015 and Monitor and DOJ have received it.

Requirement
5. ADOC will employ a full time agency PREA Coordinator for all facilities.

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1. ADOC employed Ms. Christy Vincent in July 2015. She is experienced in PREA compliance due to her previous jobs as a PREA Compliance Director with Juvenile Services. She is assisted by Lt. Tanya Arrington, who has previously been the PREA Coordinator for ADOC.

Requirement
6. ADOC designate a full time PREA compliance manager for Tutwiler. This person reports directly to the Warden, has an appropriate job description for her PREA duties and receives appropriate training for her role as Tutwiler PREA Coordinator. This person has a collaborative relationship to the ADOC Director, Ms. Vincent and routinely shares information.

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1. Tutwiler named Lt. Yvette Young as the facility PREA Manager in March 2015. Her career started in 1991 and, absent a few years, has continued until the present. She was promoted to Lieutenant in 2014. She reports directly to Warden Barrett.
2. Tutwiler SOP 9-16 -Institutional PREA Compliance Manager. This SOP is under review by the Moss Group experts but has been operational since March 2015. All of the specific duties outlined in this provision are in the job description.
3. The Moss Group provided extensive training in August 2015 to the IPCM. It includes the basic responsibilities of the position, PREA audits and pre-audits, and other tasks that are a standard for PREA managers. In addition, Lt. Young received training in Gender Responsiveness. She is a facilitator in inmate orientation and presents the PREA Awareness module. She attended 'Sexual Harassment Investigation' training conducted by The Moss Group on October, 2015. She also participates in PREA related webinars.
4. Tutwiler SOP 9-16 requires formal documentation of all of Lt. Young's activities. It is under final review by Moss Group.

Note: Monitor was extremely impressed with the professionalism, competence, dedication and thoroughness of the work ethic of Lt. Young. She walked into her interview with five organized notebooks that were filled with various types of documentations related to her responsibilities to track many activities as PREA Coordinator. She is an excellent choice for this position.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate the extent of ADOC compliance with this provision by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. ADOC has employed a new Deputy Commissioner for Training and Development, Mr. Matthew Brand. Mr. Brand began an immediate assessment of the specific staffing issues related to this provision, specifically including the hiring, screening and retention of female corrections officer for Tutwiler.

2. Physical fitness assessments continue to be performed on new recruits by trained ADOC staff. These assessments include APOSTC physical fitness standards. Recruits sign assessment contracts. A review of three months of the trainee physical training short-term goal assessments showed slight improvement each month in the APOSTC passing scores of female officers.

3. Tutwiler executive leadership track their vacancies and staffing challenges on a weekly basis. Tutwiler continues to use "overtime" staff from other facilities to staff critical vacancies. Monitor reviewed documentation of the required training received by the overtime staff working at Tutwiler.

4. Monitor and DOJ receive every six months a spreadsheet that documents all recruits taking the physical fitness exams and the pass/fail results for staff, broken down by gender.

5. ADOC hired a full time PREA Director in July 2015, Ms. Christy Vincent.

6. Tutwiler selected a competent manager, Lt. Young, to be the Institution PREA Compliance Manager. There is a detailed job description, SOP 9-16, under review by Moss Group. Lt. Young reports directly to Warden Barrett. She has received excellent training from the Moss Group regarding these duties, in addition

to Troy University training. SOP 9-16 will require documentation of her activities. Monitor saw excellent documentation in the various notebooks Lt. Young maintains to comply with her PREA and settlement agreement tracking responsibilities. 7. SOP 9-16 details the responsibilities of the IPCM to work closely with the other ADOC female facilities and is a contact for jail issues related to PREA allegations. 8. SOP 9-5 Overtime/Mandatory Overtime is in review status.	
MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. IPCM attend ADOC pre-audit training in January 2016. 2. IPCM prepare Tutwiler for the first PREA audit in 2016. 3. IPCM continue to work closely with Lt. Coleman and track the use of the grievance system. 4. Continue to review the current physical pre-academy fitness assessments and look to make any improvements that enhance the ability of women to pass APOSTC standards.	1. January 2016 2. June 2016 3. Continuous 4. Continuous

PLACEHOLDER **STAFFING** III.C In order to address low staffing levels and the need for more women officers, ADOC and Tutwiler shall ensure that correctional staffing and supervision is sufficient to adequately supervise inmates and staff and allow for the safe operation of Tutwiler.				
	Policy		Develop Policy	Implement Policy
	Policy Developed	Staff Trained		Policy Implemented
III.C.2.i – III.C.2.x (Consent Decree p. 34-44 Doc # 11). *Date: 1/17/2016* *Monitor was asked to review the requirement of III. C. 2. i-x regarding the extensive requirements in this provision C. 2 for an exhaustive review of various staffing principles to respond to the III. C. Two consultants have been selected, Rod Miller and Jane Parnell, to start work in January 2016 on a staff analysis. This analysis will guide ADOC in the development of a staffing plan, based on gender responsive principles, and PREA requirements that provide adequate staffing that will protect inmates from sexual abuse and sexual harassment"* *Monitor notes the following actions by ADOC to address this complex multi-faceted project. ADOC has partnered with their consultants to hire a team of staffing expert consultants to research and develop a staffing plan, following a detailed staffing analysis at Tutwiler. The plan is for the Moss Group to hire Rod Miller and Jane Parnell to conduct the analysis, to begin in January 2016. The Moss Group will assist ADOC in the development of a staffing plan, based on gender responsive principles and PREA requirements that provide adequate staffing that will protect inmates against sexual abuse and sexual harassment. The staffing plan should include supervision and monitoring capabilities per PREA standards.* *Monitor has reviewed the ADOC long-range plan that is inclusive of all of the specific requirements in III. C. 2. i and ii . It is comprehensive and will require collaboration between ADOC personnel, Tutwiler staff and other resources as needed.*				

Monitor has reviewed the tentative ADOC schedule for 1) initiation of the staffing analysis in January 2016, 2) staffing analysis completion by February 28, 2016, and 3) implementation of the staffing plan by May 28, 2016. It is the experienced opinion of the Monitor that this is an ambitious schedule. Tutwiler is currently operating daily with many vacancies, as noted elsewhere in this report. The consultants need to be on-site and become familiar with unique physical, staffing, programming and operational requirements for Tutwiler. They will need data from ADOC and possibly the State of Alabama personnel agency and APOSTC. *It is noted that ADOC is in the process of reviewing current draft policies and future ones for gender responsiveness by the Moss Group and other expert resources. The Monitor has been notified that ADOC will request a three-month extension for implementation of the policies/procedures slated for a February 28, 2016 compliance date. Monitor will approve this request, if made. NOTE: An extension may impact the timing for completion of the staffing analysis. It is important that the new/revised policies be completed and implemented so that any resultant impact on Tutwiler staffing can be taken into consideration during the staffing analysis. It would be ill advised to require a staffing analysis to be completed without knowledge of the staffing impacts on operations that may result from the policies.* *The monitor requests that ADOC discuss with the consultants the projected new dates for completion of the staffing plan and implementation. The staffing plan needs to include the specifics of what " implementation" actions will require from ADOC and possible other stakeholders. ADOC is requested to share with the monitor and DOJ the suggested new compliance dates and revised timetable. The monitor would like to review the draft staffing analysis and the subsequent plan when it is feasible to share with monitor and DOJ.*			

MONITOR'S MEASURES OF COMPLIANCE
1. Resume for Rod Miller and Jane Parnell, Moss Group consultants. 2. Staffing analysis developed to be used at Tutwiler. 3. Specifics of the review of posts, gender specific at Tutwiler. 4. Shift relief factor formula developed and used for Tutwiler. Documentation of how did relief factor get calculated. Understand if they used a model from another state, etc. 5. Instruments used for the Job Task Analysis and their origin. 6. Quarterly staffing reports from Tutwiler, beginning January-March 2016.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Spreadsheet reflecting the Tutwiler staffing, employee gender, position classifications, separations/dates/reasons given for separation--for employees at Tutwiler from May 28-November 28, 2015. 2. ADOC 454 and SOP 8-12 (under revision). 3. Moss Group plan to hire a team of consultants to research and develop a staffing plan via a detailed staffing analysis at Tutwiler. The planned consultants are Rod Miller and Jane Parnell. Work is expected to begin on this project in January 2016.	1. Deputy Commissioner Williams 2. Deputy Commissioner Matt Brand 3. ADOC Personnel Director Bill Lawley	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a no rating-placeholder

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate the steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. Section III. C. 2. vi requires Tutwiler to provide a staffing update to the Monitor and DOJ quarterly. It includes 1) listing of staff hired at Tutwiler, by gender and positions filled, and 2) a listing of staff who ended their employment at Tutwiler, including their gender, position, and reason for separation.
2. Monitor and DOJ received their first required staffing update November 28, 2015. It included dates from May 28, 2015 to November 28, 2015. Subsequent quarterly updates should be received by both parties. Ms. Stephanie Henderson, Tutwiler Personnel Manager, supplies this information.
3. Section III. C. 2. viii requires ADOC to develop a policy to implement the provisions outlined in this section. It is noted that ADOC AR 454 and Tutwiler SOP 8-12 include these requirements and have so included them since February 2014.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. Monitor and DOJ have the staffing update from May 2015 - November 2015. 2. Staffing analysis by Rod Miller and Jane Parnell should begin in January, 2016. 3. Staffing reports will be submitted to Monitor and DOJ. The 2016 report will be contingent on the completion of the scheduled staffing analysis. 4. Monitor will review the draft/completed staff analysis and the revised timelines suggested by ADOC and the consultants and their final report	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. ADOC will continue to work with Deputy Commissioner Brand and Personnel Director, Bill Lawley, on the results of the staffing analysis and actions necessary for implementation of any recommendations. 2. ADOC will recommend revised dates and timelines for this provision after the analysis, staffing plan are submitted by Mr. Miller and Ms. Parnell	1. Immediately 2. following #1

TRAINING III.D ADOC and Tutwiler shall ensure that all staff have the adequate knowledge, skill, and ability to prevent, detect, and respond to sexual abuse and sexual harassment at Tutwiler, and to manage, interact, and communicate appropriately with women inmates and lesbian, gay, bisexual, transgender, and gender nonconforming inmates.								
	Policy			Develop Policy		Implement Policy		
1. ADOC and Tutwiler shall train all staff who may have contact with inmates with the following:	III.D.1			Before November 28, 2015		November 28, 2015		
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
Zero-Tolerance policy for sexual abuse and sexual harassment.	Y	N	N/A	Y	N	N/A	Y	N	N/A
How to fulfill its responsibilities under its sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Inmates' right to be free from sexual abuse and sexual harassment;	Y	N	N/A	Y	N	N/A	Y	N	N/A
The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment;	Y	N	N/A	Y	N	N/A	Y	N	N/A
The dynamics of sexual abuse and sexual harassment in confinement;	Y	N	N/A	Y	N	N/A	Y	N	N/A
The common reactions of sexual abuse and sexual harassment victims;	Y	N	N/A	Y	N	N/A	Y	N	N/A
How to detect and respond to signs of threatened and actual sexual abuse;	Y	N	N/A	Y	N	N/A	Y	N	N/A
How to respond to sexual abuse and sexual harassment, including: 1. How to respond effectively and professionally to victims of sexual abuse and sexual harassment;	Y	N	N/A	Y	N	N/A	Y	N	N/A
2. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment;	Y	N	N/A	Y	N	N/A	Y	N	N/A
3. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities; and	Y	N	N/A	Y	N	N/A	Y	N	N/A
4. How to preserve physical evidence of sexual abuse (this provision does not apply to								

volunteers)	Y	N	N/A	Y	N	N/A	Y	N	N/A
How to avoid inappropriate relationships with inmates;	Y	N	N/A	Y	N	N/A	Y	N	N/A
Gender-responsive principles, including those applicable to the use of force against women inmates (the provision regarding use of force does not apply to volunteers);	Y	N	N/A	Y	N	N/A	Y	N	N/A
How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex and gender nonconforming inmates:									
1. Including the use of appropriate name and pronoun for an inmate's gender presentation and identity.	Y	N	N/A	Y	N	N/A	Y	N	N/A
2. This training shall emphasize that verbal abuse- including name calling and the use of racially insensitive or offensive, profane or vulgar language – will not be tolerated.	Y	N	N/A	Y	N	N/A	Y	N	N/A

MONITOR'S MEASURES OF COMPLIANCE
1. Extension of three (3) months was requested by Dr. Williams and approved by Monitor on 11/8/15. 2. Training curriculum utilized for PREA. 3. Rosters of completed training by assigned Tutwiler staff. 4. Interviews with three of the prison trainers responsible for conducting PREA staff training. 5. Staff focus groups, interview with COs from other prisons. 6. Interview of Andie Moss and discussion regarding origins of training curriculum. 7. Interview with Dr. Williams.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. PREA training curriculum (draft curriculum-under revision by Moss Group). 2. Staff rosters for attendance at PREA training. 3. Training curriculum for Gender Responsiveness (developed by Moss Group). 4. Staff rosters for attendance at Gender Responsiveness training. 5. Training curriculum for LGBTI training for Tutwiler staff. 6. PREA and Gender Responsiveness training rosters for staff in "overtime status" at Tutwiler. They actually are assigned to other facilities but are approved to work at Tutwiler due to their staff shortages. 7. Roster of 12 Tutwiler Master Trainers. This team has a variety of staff disciplines represented. 8. Documentation of the three-day instructor development training for Tutwiler Master Trainers, conducted by Troy University. 9. Request by Deputy Commissioner Williams for a three-month extension for completion of the PREA training requirements in this section. It was approved by Monitor on November 8, 2015.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Tutwiler Master Trainers-Dr. Scott Holmes, Lt. Goodson, Ms. Westry, Lt. Nelson, and the MHM Site Administrator 6. Andie Moss, The Moss Group. 7. Four staff focus groups	1. Monitor observed a staff training for overtime staff on Gender Responsiveness at Tutwiler.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a monitor granted an extension until 2/28/16

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor evaluates Steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance tours.

NOTE: ADOC requested a three month extension of the November 2015 timeline for the completion of the curriculum based PREA training and the Gender Responsive principles. Monitor granted an extension on November 8, 2015. Tutwiler has until February 28, 2016, to complete the required training in this provision.

Requirements (summary)
1. ADOC and Tutwiler shall train all staff who may have contact with inmates in 11 detailed areas (on monitoring tool). These areas are covered by comprehensive PREA training and Gender Responsive principles training.

_____

1. ADOC AR 454 is the PREA policy for the agency.
2. Tutwiler SOP 8-12 (under revision by Moss Group) details the elements of PREA training identified in this requirement.
3. The Moss Group developed the Gender Responsive training curriculum in August 2015. The curriculum represents the nationally recognized principles of gender responsiveness in managing female inmates. Monitor reviewed the curriculum. The Moss Group conducted a thorough "train the trainers" for selected Tutwiler staff in early September 2015. The Moss Group consultants assisted with providing the first two gender responsive training sessions for Tutwiler staff in September 2015.
4. Monitor reviewed the proposed "post settlement" PREA draft training curriculum. After a subsequent review by the Moss Group, the Monitor and DOJ have received the revised curriculum for their review and comment. The Tutwiler staff has received training, using the "pre-settlement" PREA curriculum, as required by ADOC AR 454.

The revised PREA curriculum will be presented, after final approval by all parties, in 8-12 hour training sessions to all Tutwiler staff by the Tutwiler training team.

5. Monitor reviewed the training curriculum "Dealing Effectively and Professionally with LGBTI Offenders" which is a part of this requirement. It was developed to be used in ADOC annual in-service training for all employees. It is a four-hour module.
6. Monitor has reviewed numbers of randomly selected training rosters for Tutwiler staff completing PREA (pre-settlement), Gender Responsiveness.
7. In order to facilitate the varied requirements in the section for training, Tutwiler leadership and Commissioner Williams selected 12 staff members, who were considered key leaders in their respective disciplines, to serve on a training team for Tutwiler. The team is multi-discipline, multi-racial and mixed-gender. Monitor reviewed the composition of the training team and it was a representative group. During the compliance tour, Monitor interviewed 5 of the team members. These staff attended a three-day instructor development course offered by Troy University prior to facilitating any training. In addition, the trainers attended 'Subject Matter Expert (SME) Training on Gender-Responsive Principles" conducted by The Moss Group in August, 2015, and also attended a PREA Training update in December 2015 and January 2016.
8. Relevant Tutwiler SOPs impacting compliance with the settlement agreement terms will have a Moss Group review for the inclusion of gender responsive principles where needed.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate the extent of ADOC and Tutwiler compliance with this provision by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance tours.

1. Tutwiler staff have received the ADOC required PREA training at the academy or in annual in service, prior to the effective date of the settlement, May 28, 2015. The monitor and DOJ have reviewed the revised PREA curriculum that will be used to train Tutwiler staff by February 28, 2016

2. Tutwiler staff has received the Gender Responsive training, as developed by the Moss Group.

3. ADOC is offering a four-hour training module in annual in-service "Dealing Effectively and Professionally with LGBTI offenders." Staff receives this in annual

training as offered.

4. Tutwiler selected and trained 12 competent multi-discipline staff to become Master Trainers. The Master Trainers received expert training from the Moss Group and Troy University.

5. Tutwiler SOP development process, pursuant to this settlement, includes a Moss Group review for gender responsive principles.

6. As of October 9, 2015, the following percentages of Tutwiler staff have received "Gender -Responsive Approaches for Women Offenders" training

Security staff (officers, custody supervisors, wardens) -95%

Corizon contract medical staff-89. 8%

MHM mental health contract staff-95%

Support staff and part-time staff- 98%

Overtime staff-21.95%

7. The Revised PREA curriculum, the LGBTI training and the Gender -Responsive training contain all the elements of the requirements in this provision.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Complete PREA training for all staff. 2. Complete Gender Responsiveness training for all staff.	1. Feb 28, 2016 2. January, 2016
3. Continue review of SOP polices for gender responsive principles.	3. Ongoing
4. Monitor recommends that Tutwiler conduct staff focus groups, informally, to get feedback on staff reaction to the gender responsiveness training. The four staff focus groups indicated a level of sensitivity to their perceived message of "take it easy on the women" or "you have to treat women differently from men-does that make women less accountable." The Moss Group can conduct these groups. It is important that staff receive the "intent" of this training clearly. Monitor discussed this at length during the compliance tour with Tutwiler staff, ADOC and attorneys present from DOJ.	4. May, 2016

TRAINING III.D ADOC and Tutwiler shall ensure that all staff have the adequate knowledge, skill, and ability to prevent, detect, and respond to sexual abuse and sexual harassment at Tutwiler, and to manage, interact, and communicate appropriately with women inmates and lesbian, gay, bisexual, transgender, and gender nonconforming inmates				
	Policy		Develop Policy	Implement Policy
2. Within six months of the Effective Date, all staff shall have received training as set out in Section III.D.1	III.D.2			November 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Train all Staff (*See Monitor's Discussion below):	Y N N/A	Y N N/A	Y N N/A
1. Corrections Staff	Y N N/A	Y N N/A	Y N N/A
2. Medical Practitioners	Y N N/A	Y N N/A	Y N N/A
3. Mental Health Practitioners	Y N N/A	Y N N/A	Y N N/A
4. Employees of any State agency	Y N N/A	Y N N/A	Y N N/A
5. Contractors	Y N N/A	Y N N/A	Y N N/A
6. Volunteers	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

1. ADOC 454, with any final revisions approved and completed.
2. Tutwiler SOP 8-12 in final policy form.
3. Revised PREA curriculum as developed by the Moss Group.
4. Gender Responsiveness Training Curriculum.
5. Training rosters for ALL named class employees in this section for PREA and Gender Responsiveness Training who have completed the trainings by February 28, 2016.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
NOTE. Alabama requested an extension of three months for compliance for this requirement. It was granted by the Monitor on 11/08/15. Date for completion of this requirement is 2/28/16. 1. Rosters of completed training by assigned Tutwiler staff.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Tutwiler Master Trainers-Dr. Scott Holmes, Lt. Goodson, Ms. Westry, Lt. Nelson, and the MHM Site Administrator 6. Andie Moss, Moss Group. 7. Four staff focus groups 8. Warden Deidra Wright	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a monitor granted an extension until 2/28/16

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

* NOTE: Monitor believes ADOC policy exists for this section, specifically AR 454 and Tutwiler SOP 8-12. ADOC requested the Moss Group to revise the Tutwiler SOP 8-12 and the PREA training curriculum to address the settlement specific details for Tutwiler. The Monitor reviewed the revised curriculum for 8-12 in January, 2016, and Tutwiler began using the revised curriculum the third week of January, 2016. Additionally, the Moss Group provided the Gender Responsive Training curriculum in August and staff training using it began in September, 2015.

1. ADOC AR 454 and Tutwiler SOP 8-12.
2. Tutwiler started the "Gender-Responsive Approaches for Women Offenders" training on September 5, 2015. It was noted that in early October 2015, 95 percent of security staff had received the training. The required staff groups specified in this requirement completed this training by early January 2016 (except for military leave, etc.)
3. ADOC requested that the Moss Group revise the PREA curriculum for inclusion of settlement issues at Tutwiler. This revision was completed and Monitor reviewed it in mid-January 2016. Monitor found it comprehensive and very relevant for the staff at Tutwiler. It is an excellent training curriculum.
4. Tutwiler started the PREA training with the revised curriculum the third week in January 2016 and expects to have it completed with all Tutwiler staff by February 28, 2016.
5. Warden Barrett appointed Warden I Wright as the coordinator for all staff training at Tutwiler on January 1, 2016.
6. ADOC requested a three-month extension for this provision from the Monitor. The Monitor granted this extension on November 8, 2015. The current compliance date for this provision is February 28, 2016.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate compliance by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. *Requirements (summary)* *1. Train all staff -six months from effective date.* *2. It includes; corrections staff, medical and mental health practitioners, contractors and volunteers and employees of any state agency.* NOTE: ADOC requested a three-month extension for the implementation date of this provision. Monitor granted this extension on November 8, 2015, and the current compliance date to complete training is February 28, 2016. 1. Training rosters from Tutwiler for revised PREA training and ADOC certification that all required PREA training has been completed by February 28, 2016. 2. Training rosters and certification from ADOC that all required training in this module has been completed by February 28, 2016.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Establish feedback structure for staff responses to the Revised PREA training. 2. Establish a feedback structure for staff responses to the Gender Responsive training. It is recommended that small staff focus groups could be useful. Revise or add to this training based on any significant staff feedback. Monitor discussed with all parties the concerns expressed in the staff focus groups during the compliance visit. Staff concerns were around "mixed message" of managing women offenders, such as offender "accountability" versus listening with awareness of offender institutional behaviors and the reasons for the behaviors. Overall the staff was positive about something that they learned from this training but all shared a concern, as noted. Date April 1, 2016. 3. Monitor to review a written summary of these feedback groups once ADOC has had the opportunity to review the information.	1. April, 2016 2. April, 2016 3. After ADOC review

TRAINING III.D ADOC and Tutwiler shall ensure that all staff have the adequate knowledge, skill, and ability to prevent, detect, and respond to sexual abuse and sexual harassment at Tutwiler, and to manage, interact, and communicate appropriately with women inmates and lesbian, gay, bisexual, transgender, and gender nonconforming inmates				
	Policy		Develop Policy	Implement Policy
3. ADOC and Tutwiler shall provide annual refresher training to all staff	III.D.3		February 28, 2016	February 28, 2016
REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented	
Ensure that all staff know current sexual abuse and sexual harassment policies and procedures.	Y N N/A	Y N N/A	Y N N/A	
If staff cannot successfully demonstrate knowledge of these policies and procedures, they shall not be permitted to have any contact with inmates until such time as they can demonstrate proficiency.	Y N N/A	Y N N/A	Y N N/A	
Have and implement policies and procedures setting forth the levels of discipline, up to and including termination, for any staff member who cannot perform his or her job duties due to a failure to demonstrate proficiency in these policies and procedures.	Y N N/A	Y N N/A	Y N N/A	

MONITOR'S MEASURES OF COMPLIANCE
ENSURE all staff know current sexual abuse and sexual harassment policies and procedures. a. Policy requiring annual refresher training to prevent, detect and respond to sexual abuse and sexual harassment at Tutwiler, and to manage, interact, and communicate appropriately with women inmates, including lesbian, gay, bisexual, transgender and gender non-conforming inmates. b. Curriculum used to train staff in this policy. Discuss with Andie Moss. c. Documentation of staff receiving, this training, and the date received. d. List of trainers and how they received their training to teach this refresher training. e. Staff focus groups: A and B staff rotations. f. Interviews with Warden, Capt. McClain, Lt. Young, DOC PREA Director, Site Health Administrator, Lt. Coleman, Dr. Williams. IF staff cannot successfully demonstrate knowledge of these policies and procedures, they shall not be allowed to have contact with inmates until such time they can demonstrate proficiency a. Documentation of staff proficiency testing and who fails. b. ADOC and Tutwiler SOP for placement of staff who do NOT pass requirements for this training.

c. Documentation of these placements, designations, etc., used at Tutwiler--posts used for these staff.
d. Plan for re-testing and results of re-testing that has occurred since implementation.
e. Interviews with trainers who test and re-test staff the staff.
f. Interviews with reassigned staff at Tutwiler who either failed the test once and succeeded on their next attempt or staff that are currently assigned for non-inmate contact.
g. Interviews with Warden, Capt. McClain, Lt. Young, Dr. Williams, DOC PREA Director, DOC Human Resources Manager.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC 454-any final revisions. 2. Tutwiler SOP 8-12 with final/ approved revisions. 3. Revised training curriculum for PREA. 4. Rosters of staff who have completed PREA training by February 28, 2016, and the testing, retesting results, and final status of these employees who fail the test. 5. Documentation of assistance offered to any/all staff who fail PREA training the first time. 6. Policies, SOPs, procedures used by ADOC and Tutwiler for staff who fail to pass the PREA test. 7. Personnel documentation for employees who failed the test.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Tutwiler Master Trainers-Dr. Scott Holmes, Lt. Goodson, Ms. Westry, Lt. Nelson, and the MHM Site Administrator 6. Andie Moss, Moss Group. 7. Four staff focus groups 8. Warden Deidra Wright	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a monitor granted an extension until 2/28/16

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. Tutwiler began the settlement required PREA training classes on September 5, 2015. The PREA training curriculum was revised by the Moss Group to include more settlement specific directives and information. The Monitor reviewed the revised curriculum in January 2016 and found it an excellent teaching/training tool for Tutwiler staff on PREA. Tutwiler began required staff training, using this revised curriculum, the week of January 15, 2016. All required staff PREA training will be completed by February 28, 2016.
2. The required annual refresher training will begin in September 2016, using the revised curriculum.
3. Tutwiler will develop an SOP on Staff Training that will be a comprehensive document regarding the delivery of all required training. It is slated for review by the Monitor and DOJ.
4. Warden Barrett appointed Warden I Wright as the Tutwiler Training Coordinator for ALL required training for their employees.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted, and 3) baseline and compliance visits. 1. ADOC certification that all required PREA training has been completed by February 28, 2016, for all listed classes of employees. 2. Review the revised PREA curriculum that will be used in annual in service training by September 2016 3. Review the Tutwiler master training schedule, as developed by Warden Wright. 4. Review the post training test results for staff being trained using the revised curriculum.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
ADOC will report the test, initial and retest, scores for PREA test results for all staff required in this provision. The results will identify the classes of employees -correctional staff, medical and mental health, contractors, volunteers, employees of any state agency who receive PREA training	April 15, 2016

TRAINING III.D ADOC and Tutwiler shall ensure that all staff have the adequate knowledge, skill, and ability to prevent, detect, and respond to sexual abuse and sexual harassment at Tutwiler, and to manage, interact, and communicate appropriately with women inmates and lesbian, gay, bisexual, transgender, and gender nonconforming inmates				
	Policy		Develop Policy	Implement Policy
4. The Monitor will work with ADOC and Tutwiler in drafting new training materials and/or revising current training materials set out in III.D.1 and III.D.3	III.D.4		May 28, 2015	May 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Draft/Revise training materials for staff (all persons assigned to work at Tutwiler; corrections staff; medical and mental health practitioners; employees of any state agency; contractors; and volunteers) (III.D.1)	Y N N/A	Y N N/A	Y N N/A
Draft/Revise training materials for annual refresher training (III.D.3)	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

1. Extension of three months was requested by Dr. Williams and approved by Monitor on 11/8/15.
2. Training curriculum utilized for PREA.
3. Rosters of completed training by assigned Tutwiler staff.
4. Interviews with three of the prison trainers responsible for conducting PREA staff training.
5. Staff focus groups, interview with COs from other prisons.
6. Interview of Andie Moss and discussion regarding the origins of training curriculum.
7. Interview with Dr. Williams.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. PREA training curriculum (draft curriculum-under revision by Moss Group). 2. Staff rosters for attendance at PREA training 3. Training curriculum for Gender. Responsiveness (developed by Moss Group). 4. Staff rosters for attendance at Gender Responsiveness training. 5. Training curriculum for LGBTI training for Tutwiler staff. 6. PREA and Gender Responsiveness training rosters for staff in "overtime status" at Tutwiler. They actually are assigned to other facilities but are approved to work at Tutwiler due to their staff shortages. 7. Roster of 12 Tutwiler Master Trainers. This team has a variety of staff disciplines represented. 8. Documentation of the three-day instructor development training for Tutwiler Master Trainers, conducted by Troy University. 9. Request by Deputy Commissioner Williams for a three-month extension for completion of the PREA training requirements in this section. It was approved by Monitor on November 8, 2015.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Tutwiler Master Trainers-Dr. Scott Holmes, Lt. Goodson, Ms. Westry, Lt. Nelson, and the MHM Site Administrator 6. Andie Moss, Moss Group 7. Four staff focus groups	1. Monitor observed a staff training for overtime staff on Gender Responsiveness at Tutwiler.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a monitor granted an extension until 2/28/16

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate the steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirement
1. Draft/revise training materials for all staff (d.1).
2. Draft/revise training materials for annual refresher training.

_____
1. ADOC AR 454 is under revision--agency PREA policy.
2. Tutwiler SOP 8-12--PREA procedures/policy, is under revision by Moss Group.
3. PREA staff training curriculum (post settlement) has been under revision by the Moss Group. Monitor and DOJ received new draft PREA curriculum in January, 2016.

4. The Moss Group developed gender responsive principles training in August 2015. This training has been implemented at Tutwiler since September 2015.
5. ADOC developed annual in-service training for LGBTI awareness. This training, "Dealing Effectively and Professionally with LGBTI Offenders" is being presented to all staff in all ADOC facilities.
6. After revised PREA policies (AR 454 and SOP 8-12) are approved by ADOC, any revisions to annual refresher training can be modified appropriately.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visit

1. ADOC implementation of the revised PREA training curriculum and train all staff by February 28, 2016

2. ADOC annual in service training curriculum. ADOC needs to notify monitor if any additional changes or revisions are made to the "new" PREA curriculum used to do the annual PREA training in 1. above. Monitor would like to review any changes

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Complete all Tutwiler staff PREA training, using revised curriculum.	1. 2/28/2016
2. Initiate work on modifying the annual refresher training on PREA after new curriculum is implemented into policy.	2. 5/28/2016
3. Coordinate training efforts with contractors, Corizon and MHM, to complete their contract employees training by February 28, 2016.	3. 2/28/16
4. ADOC should review current post PREA training test and consider adding any new questions as a result of the revised "settlement inclusive" PREA curriculum.	4. 5/28/2016

TRAINING III.D ADOC and Tutwiler shall ensure that all staff have the adequate knowledge, skill, and ability to prevent, detect, and respond to sexual abuse and sexual harassment at Tutwiler, and to manage, interact, and communicate appropriately with women inmates and lesbian, gay, bisexual, transgender, and gender nonconforming inmates				
	Policy		Develop Policy	Implement Policy
5. ADOC shall certify and document to Tutwiler's PREA Compliance Manager, the Department-wide PREA Coordinator, the Monitor, and DOJ, that all staff have been trained	III.D.5		November 28, 2015	November 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Certify that all staff have been trained (*See Monitor's discussion in III. D. 2.)	Y N N/A	Y N N/A	Y N N/A
1. Corrections Staff	Y N N/A	Y N N/A	Y N N/A
2. Medical Practitioners	Y N N/A	Y N N/A	Y N N/A
3. Mental Health Practitioners	Y N N/A	Y N N/A	Y N N/A
4. Employees of any State agency	Y N N/A	Y N N/A	Y N N/A
5. Contractors	Y N N/A	Y N N/A	Y N N/A
6. Volunteers	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

1. Implementation of revised PREA training curriculum.
2. Revised ADOC AR 454.
3. Training rosters for ALL staff covered under these requirements-by February 28, 2016 and then subsequent training rosters for required training that occurs for ANY staff referenced in this provision, after the February 28, 2016 date.
4. ADOC letters or correspondence used to certify ALL staff training submitted to the monitor and DOJ.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised PREA training curriculum. 2. Rosters for staff training participation as listed in Measures of compliance.	1. Deputy Commissioner Williams 2. Andie Moss, the Moss Group	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16
☐ Substantial Compliance ☐ Partial Compliance ☐ Non-compliance ☒ n/a monitor granted an extension until 2/28/16	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016
Requirements (summary) *1. Certify that All staff are trained, as listed above* _____ Monitor discussion on steps taken Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. Implementation of revised PREA training curriculum for ALL Tutwiler staff, as outlined in requirement. 2. Training rosters for all staff training pursuant to this requirement.	

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. Monitor receipt of the ADOC certification that all employees named in this provision have received the required PREA training. 2. Training rosters for staff completing this training from all disciplines. 3. ADOC requires a post PREA training test for all staff. Review of these results from 2016 PREA training using the new curriculum. Compare these results with the 2015 staff post training tests for PREA training. Share results with monitor and DOJ.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
ADOC will provide the monitor the various PREA training rosters for staff completing the required training. Identification should be made of the different groups of employees that are outlined in this provision.	April 15, 2016

INMATE EDUCATION

III.E ADOC and Tutwiler shall effectively and meaningfully communicate to all inmates their right to be free from sexual abuse and harassment and the protections in place at Tutwiler to ensure that such abuse and harassment does not occur or, if it does occur, is reported so it can be responded to promptly, appropriately, and without retaliation.

	Policy		Develop Policy	Implement Policy
(Inmate Education: Intake) 1. ADOD and Tutwiler shall ensure that, during the intake process, all inmates receive information regarding the following *(listed below)*: 3. Current Tutwiler inmates will receive the information and education described in III.E.1 **within three months** of the Effective Date (*by August 28, 2015*). 6**. Consistent with current policy**, ADOC and Tutwiler shall ensure that the information outlined in III.E.1 is conveyed and made available in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as to inmates who have limited reading skills. 7. ADOC and Tutwiler **shall provide the Monitor and DOJ for their review** consistent with Section III.A.6 any materials or curriculum utilized to satisfy the requirements of III.E.1	III.E.1 III.E.3 III.E.6 III.E.7		May 28, 2015 *AND* Before August 28, 2015	Current inmates: May 28, 2015 *AND* Before August 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Intake information includes:			
1. ADOC's Zero-Tolerance Policy regarding sexual abuse and harassment;	Y N N/A	Y N N/A	Y N N/A
2. Definitions of sexual abuse and sexual harassment;	Y N N/A	Y N N/A	Y N N/A
3. The right to be free from sexual abuse and sexual harassment and from retaliation for reporting such incidents;	Y N N/A	Y N N/A	Y N N/A
4. The right to be free from verbal abuse, including name calling, racially insensitive or offensive language, and profane or vulgar language;	Y N N/A	Y N N/A	Y N N/A
5. How to report incidents or suspicions of sexual abuse and harassment, including the availability of non-inmate interpreters;	Y N N/A	Y N N/A	Y N N/A
6. The process of accessing medical and mental health care.	Y N N/A	Y N N/A	Y N N/A
<u>Current Tutwiler inmates</u> received the information and education by August 28, 2015.	Y N N/A	Y N N/A	Y N N/A
This information must be conveyed and made available in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as to inmates who have limited reading skills.	Y N N/A	Y N N/A	Y N N/A
ADOC and Tutwiler have provided the materials or curriculum to the Monitor and DOJ for their review.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
Intake Information provided to inmates upon admission 1. SOP for intake education. 2. Interview an intake staff provider and observe the intake process, if possible. See any documentation of this education-inmates signatures, etc. 3. Interview inmates in processing, if available. 4. Inmate focus group. 5. Interview Captain McClain and Lt. Young, Warden Barrett, Dr. Williams.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454- PREA policy. 2. Tutwiler SOP 8-12 (under revision). 3. Tutwiler lesson plan for "Women Offender Education" 2015. 4. Offender Education power point presentation. 5. Rosters for inmate attendance for July 2015. Women Offender Education" two hour training. Training was completed for all inmates assigned at that time. 6. Rosters for inmate attendance for Inmate Education module for the month of November 2015. 7. Memo issued July 15, 2015 by Deputy Commissioner Williams. Memo was directed to the staff facilitators who presented the education module the week of July 20-24 for all assigned inmates at Tutwiler. This memo reiterated the PREA topical areas included in the training.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Ms. Chitema Westry 6. Lt. Brian Coleman 7. Ms Christy Vincent, ADOC PREA Director 8. Inmate focus group	1. Baseline Tour- September 30, 2015. Monitor toured the intake/new admission area at Tutwiler. Monitor observed the video PREA presentation for four new admissions, right after it was completed. All inmates responded they understood the material presented in the video in discussion with Monitor. Monitor received the processes used for intake explained by an admissions officer. Monitor observed a PREA screening interview, conducted by a classification specialist. 2. Compliance tour-Monitor observed part of the Weekly Inmate Orientation Program on Dec. 3, 2015. Specifically, Monitor observed the full presentation on the inmate grievance system by Lt. Coleman and most of the PREA presentation by Lt. Young. Monitor observed the use of the PREA video during this presentation.

8. Memo issued by Deputy Commissioner Williams to Tutwiler staff assigned to an "Inmate Orientation Curriculum (extended) Work Group. 9. Voucher and payment for certified provider of interpretive services for the hearing impaired. She was available to provide the inmate education two hour module for any hearing impaired inmates on July 24, 2015. 10. PREA inmate orientation, per E.1, to be provided for new admission inmate intake processing at Tutwiler. 11. PREA video, "PREA- What You Need to Know", utilized in the Intake initial processing 12. Tutwiler inmate orientation schedule, presented every Thursday, and providers of the various segments.		

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.E.1, III.E.6, and III.E.7. Please provide separate findings for each provision. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor evaluates steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC and Tutwiler shall provide information to inmates in the intake process, which includes 6 PREA specific items for inclusion, via the provision.
2. Current Tutwiler inmates by August 28, 2015 shall receive this information and training.
3. The required information shall be provided in formats accessible to all inmates--including those with limited English proficiency (LEP), deaf, visually impaired, or otherwise disabled.
4. ADOC and Tutwiler will provide the information materials and curriculum to the monitor and DOJ.

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1. ADOC AR 454.
2. Tutwiler SOP 8-12.
3. Deputy Commissioner Williams developed the PREA inmate orientation presentation for use in the intake process. It was created using the National PREA Resource Center's program, " PREA-What You Need to Know". This program is considered a "gold standard" nationally for inmate PREA information, for use in the intake process. ADOC developed it in June 2015. The video portion of the NPRC program is used in the Tutwiler Offender Education curriculum. This curriculum includes all of the requirements outlined in this provision.
4. Tutwiler provides an intake process for new admissions that includes the following:
a. Video-" PREA-What You Need to Know" -referenced in #3 above. Monitor has this video and has viewed it.
b. After viewing the video, officers inquire about any questions. The inmates sign an acknowledgement form. Video is close captioned and available in Spanish.
c. If an inmate demonstrates any reaction of concern after seeing the video, a mental health professional is available to discuss it with her.

d. A classification PREA checklist is completed with each inmate and a classification analyst administers it. Monitor reviewed it.
5. Tutwiler and ADOC Women's Services developed a two-hour Offender Education module. It includes all of the information required in this provision. It was presented to ALL Tutwiler inmates in July 20-24, 2015, as required. Deputy Commissioner Williams conducted a specialized facilitator training class, prior to providing the module, for the five selected staff who would deliver the Offender Education module to all inmates. The groups of employees selected were excellent choices.
6. Monitor reviewed the entire Offender Education module and found it very adequate and informative. Monitor viewed the power point presentation also. Note: ADOC acknowledges that the Monitor did not review the Offender Education module/curriculum until September 2015. The Monitor did not begin work until mid-September and ADOC believed it was critical to provide the required training to the inmates on the required schedule. Monitor agrees. Monitor and DOJ reviewed the curriculum and provided comments to ADOC on October 15, 2015. ADOC has not responded to their final decision regarding their inclusion of any of the comments as of the time of this writing. ADOC has responded that if any changes are made to the current curriculum, the inmates will receive this information in planned quarterly review sessions.
7. Monitor reviewed the inmate rosters for their attendance for the required training sessions in July 2015.
8. Documentation of the employment of a specialist for the hearing impaired inmates was reviewed by Monitor. A special session was held by the specialist for hearing impaired inmates.
9. ADOC notes that SOP 8-12 contains most of the elements in III. E. 1. ADOC noted an exception is III. E 1. iv. and vi. Section E. iv. has been placed in SOP 5.0 dorm security. Section III. E. vi. is currently in the ADOC Office of Health Services policy, which is available for review by inmates.
10. Monitor discussed the intake and education module in the inmate focus group. All inmates except one remembered the intake PREA information and some had attended the July education module presentation.
11. Monitor observed most of the PREA presentation in the weekly inmate orientation session during the compliance visit. Lt. Young was the presenter and used the video, and presented thoughtful questions for the inmates in the group.
12. Monitor discussed the requirement for interpreter services with Deputy Commissioner Williams during the compliance visit and in a phone call in early January 2016.

a. Dr. Williams reported that interpreter services were not required for the Offender Education services. ADOC has identified an individual in Montgomery who is qualified and available to assist Tutwiler for any inmates needing assistance with language.
b. Tutwiler administers a "risk assessment " checklist to all new admissions by a classification specialist. This employee is required to notify Lt. Young or the warden, if she is not available, that she has identified an inmate who will need evaluation ASAP for the need of interpreter services.
c. Dr. Scott Holmes, Tutwiler psychological associate, has been identified to evaluate any "special services" that are required by an inmate , as defined in this provision. Dr. Holmes has the resources of both Corizon and MHM, as ADOC Tutwiler contractors, to provide needed resources on site or elsewhere.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. Tutwiler has an intake process that includes all the required information in this provision. The video "PREA-What You Need to Know" is used. This is a best practice. The video is used also in the offender orientation module.

2. The video is available in Spanish and close captioned.

3. Documentation showed that the Offender Education program was delivered to all Tutwiler inmates the week of July 20-24, 2015.

4. The monitor reviewed the Offender Education curriculum in September 2015-after contract for monitor was signed, and submitted comments. The monitor believes the curriculum used for the July training was sufficient to meet the requirements in this provision. It is under review for inclusion of more settlement specific items, that will enhance the module but not fundamentally affect its PREA factual content.

5. Inmate focus group responses reflected that inmates were ALL aware of PREA information at Tutwiler and knew how to report, the availability of the toll free phone line, and the inmate grievance system.

6. Monitor confirmed that ADOC can provide required interpreter service if an inmate requires them. At the time of this report, there has not been an inmate identified who is LEP or in need of an interpreter since the effective date of the settlement, May 28, 2015.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Obtain a contract for routine availability of a hearing impaired specialist.	1. 2/28/2016
2. ADOC will make appropriate revisions to the offender education curriculum after reviewing the comments and the revised PREA training curriculum	2. Immediately
3. Establish a method to receive inmate feedback every six months on the PREA Intake and Offender Education module. Inmate survey can include these areas. Inmate feedback should be obtained three months after changes made to Offender Education curriculum as a result of the revised 8-12 SOP.	3. 3 months after curriculum revision
4. ADOC needs to write their plan for securing interpreter resources in a SOP, a contract with the Montgomery designated individual or an agreement with an agent who provides these services. The monitor will receive a copy of any documents created or executed as a result of this recommendation.	4. As soon as possible

INMATE EDUCATION III.E ADOC and Tutwiler shall effectively and meaningfully communicate to all the inmates their right to be free from sexual abuse and harassment and the protections in place at Tutwiler to ensure that such abuse and harassment does not occur or, if it does occur, is reported so it can be responded to promptly, appropriately, and without retaliation.				
	Policy		Develop Policy	Implement Policy
(Inmate Education: Comprehensive) 2. Within 14 days of intake, ADOC and Tutwiler shall provide comprehensive orientation education to inmates either conducted in-person or through a video presented by an in-person facilitator regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding their policies and procedures for responding to such incidents. 3. Current Tutwiler inmates will receive the information and education described in III.E.2 **within three months** of the Effective Date (by August 28, 2015). 4. ADOC and Tutwiler shall ensure that the individual conducting or facilitating the comprehensive inmate educational orientation is trained on Tutwiler's and ADOC's policies and procedures related to sexual abuse and sexual harassment, the PREA standards, and this Agreement. 5. The individual conducting or facilitating the comprehensive inmate orientation education shall remain in the room during the entire orientation and shall monitor the inmates for reactions to and understanding of the information. A mental health practitioner will serve as an advisor to the orientation process and services will be available during the orientation process if indicated. 6**. Consistent with current policy**, ADOC and Tutwiler shall ensure that the information outlined in III.E.2 is conveyed and made available in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as to inmates who have limited reading skills. 7. ADOC and Tutwiler **shall provide the Monitor and DOJ for their review** consistent with Section III.A.6 any materials or curriculum utilized to satisfy the requirements of III.E.1 8. ADOC and Tutwiler shall maintain documentation of inmate participation in the education sessions required by III.E.2.	III.E.2 III.E.3 III.E.4 III.E.5 III.E.6 III.E.7 III.E.8		May 28, 2015 AND Before August 28, 2015	Current inmates: May 28, 2015 AND Before August 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Comprehensive inmate education: 1. Includes inmates' rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents;	Y N N/A	Y N N/A	Y N N/A
2. ADOC's policies and procedures for responding to such incidents.	Y N N/A	Y N N/A	Y N N/A
Education is conducted in-person or through a video presented by an in-person facilitator. 1. The individual conducting or facilitating the comprehensive inmate educational orientation is trained on Tutwiler's and ADOC's policies and procedures related to sexual abuse and sexual harassment, the PREA standards, and this Agreement.	Y N N/A	Y N N/A	Y N N/A
2. The individual conducting or facilitating the comprehensive inmate orientation education shall remain in the room during the entire orientation and shall monitor the inmates for reactions to and understanding of the information.	Y N N/A	Y N N/A	Y N N/A
A mental health practitioner will serve as an advisor to the orientation process and services will be available during the orientation process if indicated.	Y N N/A	Y N N/A	Y N N/A
The information is conveyed and made available in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as to inmates who have limited reading skills.	Y N N/A	Y N N/A	Y N N/A
Materials and curriculum have been **provided to the Monitor and DOJ for their review**	Y N N/A	Y N N/A	Y N N/A
Documentation is maintained of inmate participation in the education sessions.	Y N N/A	Y N N/A	Y N N/A
Current Tutwiler inmates have received this information and education by August 28, 2015.	Y N N/A	Y N N/A	Y N N/A
Incoming Tutwiler inmates receive the comprehensive orientation education within 14 days of intake.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
Current Tutwiler inmates will receive the information and education described in III E. 1 1. Copy of curriculum for the Education module. 2. Schedule and SOP/memo implementing this process. 3. Documentation certifying that the assigned inmates received the training and who provided it, including the July 15 memo to staff and the schedule for July 20-24 for education sessions. 4 SOP for future delivery of this education module and providers. 5. Inmate focus group. 6. Interview of two of the trainers who provided/provide this module. 7. If Moss Group provided, interview with Andie Moss regarding curriculum origin. 8. Any evaluations of the training by inmates OR 9. Documentation of the training received by trainers providing this function. **This training is to be conveyed and made available in formats accessible to all inmates, including those who are limited English proficient, hearing impaired,.etc.** 1. SOP to implement this requirement. 2. Documentation of any inmate who received this education training and is included in ANY of the groups described above. 3. Interview with two trainers. 4. Interview with two inmates included in these categories and have received the training. 5. Interviews with Captain McClain and Lt. Young and Warden Barrett. **ADOC and Tutwiler will provide the Monitor and DOJ....any materials or curriculum utilized to satisfy the requirements of III. E 1** 1. Education module curriculum. 2. Any materials used, other than the curriculum. 3. Interview with Dr. Williams. **Trainers must be trained on ADOC and Tutwilers policies and procedures related to sexual abuse, sexual harassment, PREA and agreement** 1. Documentation of trainers "training" and when it occurred. 2. Interviews with two trainers, Warden Barrett and Dr. Williams. 3. Evidence of trainer remaining in room. 4. Interview with mental health professional who served as an advisor to orientation process, including information about their participation in any session and documentation of her role, if any.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)* *Notes: Note: items 3, 6, 7 responses were addressed in Monitor tool III. E. 1,3,6,7. Monitor will address items 2, 4, 5, 8 in this monitoring tool*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454- PREA policy. 2. Tutwiler SOP 8-12 (under revision). 3. Tutwiler lesson plan for "Women Offender Education" 2015. 4. Offender Education power point presentation. 5. Rosters for inmate attendance for July 2015 " Women Offender Education" two hour training. Training was completed for all inmates assigned at that time. 6. Rosters for inmate attendance for Inmate Education module for the month of November 2015. 7. Memo issued July 15, 2015 by Deputy Commissioner Williams. Memo was directed to the staff facilitators that presented the education module the week of July 20-24 for all assigned inmates at Tutwiler. This memo reiterated the PREA topical areas included in the training. 8. Memo issued by Deputy Commissioner Williams to Tutwiler staff assigned to an "Inmate Orientation Curriculum (extended) Work Group. 9. Voucher and payment for certified provider of interpretive services for the hearing impaired. She was available to provide the inmate education two hour module for any hearing impaired inmates on July 24, 2015. 10. PREA inmate orientation, per E.1, to be provided for new admission inmate intake processing at Tutwiler. 11. PREA video, "PREA- What You Need to Know", utilized in the Intake initial processing. 12. Tutwiler inmate orientation schedule, presented every Thursday and providers of the various segments.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Andie Moss, the Moss Group 6. Inmate focus group 7. Informal interview with four new admissions on September 30, 2015, by Monitor, during baseline tour	None

13. Documentation of Inmate Education module staff facilitator training by Deputy Commissioner Williams on July 13, 2015. It was a three-hour training session attended by seven selected trainers for the week-long session for all inmates July 20-24. These trainers were Lt. Young, Lt. Coleman, Lt. Arrington, Lt. Blanding, the MHM Site Administrators, the Corizon Site Administrator, and Cpt. McClain. 14. Documentation indicating the presence of Lt. Young during the inmate training sessions. 15. Memo from Deputy Commissioner Williams appointing a group to review and revise the current inmate orientation program. Updates will include policy/SOP updates, revisions.		

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.E.2, III.E.3, III.E.4, III.E.5, III.E.6, III.E.7 and III.E.8. Please provide separate findings for each provision **MONITOR'S FINDINGS:**	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Requirements (summary)
1. ADOC and Tutwiler shall provide a comprehensive orientation program for inmates within 14 days of intake. This program instructs inmates about their rights to be free from sexual abuse and sexual harassment and to be free from Retaliation for reporting these incidents. They shall ensure that this information is conveyed and accessible to all inmates, including the LEP, hearing and visually impaired or otherwise disabled or have limited reading skills. Current Tutwiler inmates shall ALL receive this orientation education by August 28, 2015.
2. ADOC and Tutwiler shall ensure that the facilitator(s) are trained regarding ADOC and Tutwiler PREA policies and procedures. The person who is the program facilitator should remain in the room the entire time, to observe and monitor inmate reactions to the information they are receiving. A mental health professional will be an advisor to the orientation and will ensure services are available during the orientation if needed.
3. ADOC and Tutwiler shall maintain documentation of inmate participation in these required education sessions.

_____

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted, and 3) baseline and compliance visits.

1. ADOC AR 454 and Tutwiler SOP 8-12.
2. ADOC Women's Services developed a comprehensive PREA Offender Education Orientation module in June 2015--to comply with III. E. 1. This curriculum used materials from the National PREA Resource center and includes their program "PREA-What You Need to Know" and a video of this information. The NPRC program was developed as a resource for agencies to use in an intake process. The video is used in the intake process at Tutwiler and in the weekly comprehensive inmate orientation program that includes this PREA module, presented by Lt. Young.
3. Deputy Commissioner Williams selected five professionals to be the primary facilitators for the required sessions for the entire Tutwiler population by August

28, 2015. These staff included ADOC PREA Director, Ms. Vincent, her Assistant Coordinator, Lt. Arrington, Tutwiler PREA Coordinator, Lt. Young, Lt. Coleman-Tutwiler Grievance Manager. Commissioner Williams conducted a special training for these facilitators prior to actual sessions that included all requirements of this provision.
4. Pursuant to this requirement, all Tutwiler inmates received the two-hour PREA Offender Education module in July 20-24, 2015. Monitor reviewed rosters for inmate attendance for these sessions as documentation.
5. These July sessions had the services of a hearing impaired specialist who conducted special session for inmates needing that service.
6. Tutwiler provides weekly inmate orientation sessions every Thursday. Lt. Young, IPCM, conducts the in-depth PREA Offender Education module, developed by Commissioner Williams in June 2015 and delivered to the entire Tutwiler population in July.
7. Monitor observed most of the presentation by Lt. Young at orientation during the compliance visit. The video was used as part of the module.
8. The MHM Site Administrator, and Dr. Scott Holmes, Psychological Associate at Tutwiler, are advisors in the orientation program and facilitate mental health services for inmates.
9. Monitor reviewed the offender information module.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. ADOC AR 454--PREA agency policy.
2. Tutwiler SOP 8-12 PREA procedures and policy.
3. Offender Education module, developed by ADOC Women's Services, in June 2015.
4. Documentation of all Tutwiler inmates receiving the Offender Education module in July 2015.
5. Facilitators presenting the July sessions received special training developed by Commissioner Williams prior to conducting training.
6. The July training sessions had a hearing impaired specialist available.
7. Tutwiler has a weekly inmate orientation program. One session is the PREA orientation module/video and it is presented by Lt. Young, IPCM, as required by this provision.
8. Monitor and DOJ received the Offender Education curriculum in September 2015. Both submitted comments back to ADOC in mid-October. ADOC is reviewing the comments, and other information, and will respond back to Monitor and DOJ as soon as the final decision is made by ADOC.
9. ADOC has complied with this provision by offering the required Offender Education module in July 2015. The information presented used materials from the National PREA Resource center and was NOT dependent on the revised PREA staff-training curriculum that became available in January 2016. The PREA session of inmate orientation also relies on the video and materials produced by the NPRC.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. The offender Education module is under review for inclusion of any settlement specific PREA information and any comments made by monitor and DOJ. The monitor shall receive the revised curriculum once completed. The monitor believes that the curriculum used in the July training was sufficient in the provision of the basic required PREA information. 2. Commissioner Williams appointed a work group of staff to review and revise the current inmate orientation program at Tutwiler. The goal is to create an orientation curriculum that organizes the material presented and avoids the redundancy present now. The PREA education module remains intact in the future orientation program. The workgroup may submit a draft revised inmate orientation format in early 2016. The monitor has requested to review it once completed . 3. Create process for inmate feedback of the orientation program, after the revised curriculum has been used for six months.	1. As soon as completed 2. 2/1/2016 3. April, 2016

GENDER-RESPONSIVE CLASSIFICATION III.F Consistent with constitutional standards, ADOC and Tutwiler shall develop and implement a classification process including custody classification, and risk/need assessment, and screening for risk of vulnerability or perpetration of sexual abuse or sexual harassment and use that information to inform housing, bed, work, education, and program assignments with the goal of maximizing safety.			
	Policy	Develop Policy	Implement Policy
1. **Within two months of the Effective Date**, ADOC and Tutwiler shall convene a working group to evaluate methods to decrease or eliminate Tutwiler's use of Dorm A for a period of time that exceeds 48 hours while screenings are completed, including an examination of the necessity of PAP test and/or other medical, mental health, or intellectual test results prior to classification and failures to provide adequate continuity in medical and mental health care to Dorm A residents	III.F.1		Convene Working Group by July 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Working Group Convened	Y N N/A	Y N N/A	Y N N/A
Evaluate methods to decrease or eliminate use of Dorm A for a period that exceeds 48 hours	Y N N/A	Y N N/A	Y N N/A
Examine necessity of receiving PAP test and/or other medical, mental health, or intellectual test results prior to classification	Y N N/A	Y N N/A	Y N N/A
Examine any failures to provide adequate continuity in medical and mental health care to Dorm A residents	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
A. Directive to appoint a Dorm A working group. List of members and their position. B. Minutes of any meetings that have been held and recommendations documented for actions regarding the requirements in this section. C. Written evaluation of methods for decreasing or eliminating use of Dorm A for a period that exceeds 48 hours. D. Written review and recommendations regarding necessity of PAP test and other medical, mental health and intellectual tests results prior to classification. Any minutes of a sub group health services meetings to address this issue including who participated. E. Written recommendations received from staff about their review of these tests and recommendations. F. SOP and directives followed to examine any failures to provide adequate continuity of care in medical and mental health care to Dorm A residents. G. Any published SOPs and directives implementing action plans in response to this requirement. Include any forms used or developed. Logs, etc. H. Interviews with Dr. WIlliams, Warden Barrett, Capt. McClain, Lt. Young, Site Health Administrator, chief housing officer who assigns inmates out of dorm A, inmate focus group. I. Roster of inmates assigned to dorm A since September 1-November 1 and the dates assigned and reassigned out of the dorm.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Memo of July 10, 2015, documenting the appointment and convening of the Dorm A workgroup, per this section, by Deputy Commissioner Williams. Workgroup was chaired by Dr. David Tytell and Warden Wright. Members were Ms. Westry (ADOC Inmate Classification Supervisor), F. Hardy (Tutwiler Corrections Officer), Dr. Holmes (ADOC Tutwiler Psychological Associate), the Corizon Director of Nursing at Tutwiler, and the MHM Site Administrator, 2. Minutes of the Dorm A workgroup that met on July 23 and On October 16, 2015. Minutes were submitted by the group co-chairs. 3. Spreadsheet, maintained by Tutwiler CO Felicia Hardy, that documents the length of stay for all inmates assigned to Dorm A and when they were assigned to population housing.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Dr. David Tytell - ADOC Chief Psychologist-co- chair, Dorm A workgroup 6. Warden I Wright, Tutwiler and co-chair of Dorm A workgroup 7. Ms. Chitema Westry-Classification Supervisor 8. Inmate focus group	1. Monitor visited and spent time in Dorm A during baseline visits. Informal discussions were held with inmates and staff assigned there. Monitor observed that other housing dorms at Tutwiler were either fully occupied or there were just a few vacant bunks available.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate the steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC and Tutwiler shall convene a working group, by July 28, 2015, to evaluate methods to decrease or eliminate use of Dorm A for a period that exceeds 48 hours
2. Examine necessity of receiving PAP test and other medical, mental health, intellectual tests prior to classification
3. Examine any failures to provide adequate continuity of medical and mental health care to dorm A inmates

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NOTE FOR THE COURT: Dorm A is utilized at Tutwiler for housing new admissions to the facility. Inmates there are 1) involved actively in the intake, processing part of their initial incarceration, or have 2) completed the initial processing requirements and are ready to be classified and transferred into general population housing at Tutwiler. It is a large dormitory. Some Inmates have remained there for extended periods of time after their classification readiness, due to lack of bed vacancies in other housing areas at Tutwiler or due to "medical holds".

1. Deputy Commissioner Williams appointed the dorm A work group in a memo sent July 10, 2015. The group consisted of: Dr. David Tyrell, ADOC Chief Psychologist, (co-chair), Warden I Deidra Wright (co-chair), Dr. Scott Holmes, Ms. Christy Vincent (ADOC PREA), Ms. Felicia Hardy (Tutwiler CO, reception unit), Ms. Chitema Westry (Classification Supervisor), the MHM Site Administrator, the Corizon Site Administrator, and Ms. Lynn Brown (ADOC Office of Health Services).
2. Workgroup meetings were held on July 23 and October 16, 2015 and Monitor reviewed minutes of the meetings. Monitor interviewed Dr. Tytell and Warden Wright regarding their role as co-chairs. The initial meeting discussed various options for additional housing spaces at Tutwiler, to relieve the delay of inmate movement due to limited bed space elsewhere. The second meeting discussed their findings, which included information received about their proposed options for housing. It was concluded that it was currently impossible to move forward with plans for additional housing for a variety of structural, logistical and financial reasons. A decision was made to continue to meet as a group quarterly and review options/ideas as they change or come forward.
3. Ms. Felicia Hardy, Tutwiler housing officer, maintains a spreadsheet for the inmate assignments into Dorm A and their movement out of Dorm A. Monitor has reviewed these spreadsheets. Monitor saw that assigned inmates in Dorm A are routinely moved out to general housing within 2 weeks. At times, inmates are ready to move within a few days and cannot due to a lack of vacant beds.
4. Monitor interviewed Ms. Brown and Associate Commissioner for Health Services, Ruth Naglich, regarding any impediments to moving inmates out of dorm A due to initial testing requirements (PAP, etc.).
5. Monitor discussed Dorm A with inmate focus group and no one complained about being kept in there for any extended period of time.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. Pursuant to this provisions, Deputy Commissioner appointed the Dorm A workgroup on July 10, 2015. The workgroup is comprised by professionals whose work disciplines are involved with the mission of Dorm A.

2. The workgroup met on July 23 and October 16, 2015 and minutes revealed robust discussions of possible options for additional housing at Tutwiler. Monitor notes that this provision requires that a work group "evaluate" methods to decrease or eliminate Tutwiler's use of Dorm A. This group did make an evaluation, as required.

3. Monitor reviewed the spreadsheet documenting inmate movements in and out of Dorm A from September 1-November 1, 2016. Monitor observed routine inmate movements out of this dorm on a timely basis. 4. In interviews with various medical/mental health staff, no testing impediments were noted that would require keeping new admissions in Dorm A. It is clear to Monitor that the inmate movements out of Dorm A are as result of the lack of available bed space, not medical tests. The health care staff did not see any impediments to treatment occurring to inmates in dorm A. Monitor did not see or hear any inmate complaints about any impediment to treatment occurring, due to dorm A movements, in the review of the grievance review or in the inmate focus group.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Dorm A workgroup should meet quarterly in 2016. Minutes need to be sent to the Monitor and DOJ. 2. The Dorm A workgroup evaluated available options at Tutwiler for additional housing. They concluded that their recommended possible options were not feasible. The monitor concurs with their review. ADOC should seriously explore additional facility housing for female inmates in long range planning.	1. First meeting to occur by 3/1/2016 2. Ongoing

GENDER-RESPONSIVE CLASSIFICATION III.F Consistent with constitutional standards, ADOC and Tutwiler shall develop and implement a classification process including custody classification, and risk/need assessment, and screening for risk of vulnerability or perpetration of sexual abuse or sexual harassment and use that information to inform housing, bed, work, education, and program assignments with the goal of maximizing safety.				
	Policy		Develop Policy	Implement Policy
2. Within six months of convening of the working group, ADOC and Tutwiler shall retain an expert in gender responsive assessment and classification.	III.F.2			Retain expert by January 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
The retained expert develops and submits for review to the Workgroup and Monitor a summary of recommendations and proposed deliverables that outline a plan for implementation and validation of an objective and internal classification system specific to the women inmates at Tutwiler.	Y N N/A	Y N N/A	Y N N/A
The classification system incorporates gender responsive principles and addresses the needs of women inmates at Tutwiler including housing safety, mental health (depression/anxiety/psychosis), abuse and trauma, family conflict, relationship dysfunction, and parental stress.	Y N N/A	Y N N/A	Y N N/A
The system focuses on strength and resiliency factors including educational assets, family support, and self-efficacy	Y N N/A	Y N N/A	Y N N/A
Proposed plan examines the designation of “restricted status” for inmates at Tutwiler to determine the appropriateness of the designation as it relates to classification, housing, programming, and community custody.	Y N N/A	Y N N/A	Y N N/A
The proposed plane is based on expert review and addresses adjustments to the classification system, adequate data collection and analysis, and appropriate ongoing testing for effectiveness.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
RETAINED expert develops, and submits for review to the workgroup and Monitor, a summary of recommendations. a. Resume and experience in gender classification plans for Dr. Pat Van Voorhis. b. Review of contract for Dr. Van Voorhis. c. Review of the summary/ deliverables developed and submitted by Dr. Van Voorhis. d. Review of previous assessment of Tutwiler classification system in February 2015 by Dr. Van Voorhis. e. Interviews with Dr. Williams, Warden, Andie Moss and Dr. Van Voorhis. The classification system incorporates gender responsive principles and addresses the needs of women inmates at Tutwiler, including housing,.... a. Policies and practices used by Dr. Van Voorhis to develop the gender classification system. b. Examples of a similar classification system that will guide the Tutwiler system-if available-Dr. Van Voorhis can direct Monitor to a site for this review. c. Interviews with Dr. Van Voorhis, Andie Moss, Dr. Williams. SYSTEM focuses on strength and resiliency factors... a. Same measures as stated above. PROPOSED plan examines the designation of "restricted status" for inmates at Tutwiler... a. Review of proposed plan submitted by Dr. Van Voorhis and specifically, the area addressing the use of "restricted status" at Tutwiler. b. Interviews with Dr. Williams, Warden and Dr. Van Voorhis, Andie Moss. PROPOSED plan is based on expert review and addresses adjustments to the classification system, adequate data collection... a. Review of plan and implementation schedule. b. Interviews as indicated previously.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Documentation that, per ADOC request, the Moss Group has retained Dr. Pat Van Voorhis as a gender classification expert, per requirement in this section. 2. Review of the credentials of Dr. Van Voorhis relevant to her selection as an expert in gender classification. Monitor is familiar with her expertise and finds her highly qualified.	1. Deputy Commissioner Williams 2. Captain McClain 3. Lt. Young 4. Ms. Westry 5. Andie Moss, the Moss Group	1. On both visits to Tutwiler, Monitor observed the crowded dorms and the challenges present to manage multiple classified populations. It is hoped that the new system will provide a more thoughtful and operationally relevant classification system for these female offenders.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirements (summary)
1. Within six months of convening the work group (by January 28, 2016), ADOC and Tutwiler shall retain an expert in gender responsive assessment and classification
2. The expert will develop and submit for review to the workgroup and Monitor a summary of recommendations and proposed deliverables that outline a plan for implementation and validation of an objective and internal classification system specific to the women inmates at Tutwiler.
2. Rest of requirements are specific to the content of the classification system that will be developed

_____

1. Dr. Pat Van Voorhis has been retained to be the gender- responsive classification expert. She is a consultant for the Moss group and has been involved in a number of gender classification projects.
2. Monitor is very familiar with the extensive experience and credentials for Dr. Van Voorhis and finds her an excellent choice for this project. Among many examples of her expertise, Dr. Van Voorhis was a member of federal study teams that contributed to the American Bar Association's standards for classifying women offenders, as well as the design of the National Institute of Corrections "Effective Interventions Program" -Gender Informed Practice Assessment.
3. Dr. Van Voorhis begins this work in January 2016 and she will develop a summary of recommendations and proposed deliverables to ADOC.
4. It is noted that Dr. Van Voorhis reviewed the Tutwiler programs and classification in February 2015.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate the ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits. 1. ADOC has multi-year contract with the Moss Group. The Moss Group retained the services of Dr. Pat Van Voorhis, a nationally recognized expert in gender assessments and classification. 2. Dr. Van Voorhis is completing the required summary of her recommendations and deliverables, pursuant to this provision, for ADOC. Monitor and DOJ will receive for their review and comment.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Review the documents submitted by Dr. Van Voorhis.	1. 1/28/2016.

GENDER-RESPONSIVE CLASSIFICATION

III.F Consistent with constitutional standards, ADOC and Tutwiler shall develop and implement a classification process including custody classification, and risk/need assessment, and screening for risk of vulnerability or perpetration of sexual abuse or sexual harassment and use that information to inform housing, bed, work, education, and program assignments with the goal of maximizing safety.

	Policy		Develop Policy	Implement Policy
3. The approved plan for implementation of the classification system shall be managed by an implementation workgroup and completed within two years of the approval of plan 4. The system shall provide programs that incorporate gender responsive principles and address the needs of women inmates at Tutwiler, including those addressing sexual abuse, sexual harassment, and trauma; domestic violence; dating violence; and medical and mental health care.	III.F.3 III.F.4		September 28, 2016	September 28, 2018 (

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Managed by an implementation workgroup	Y N N/A	Y N N/A	Y N N/A
Completed within 2 years of approval	Y N N/A	Y N N/A	Y N N/A
System provides programs that address the needs of women inmates at Tutwiler, including:	Y N N/A	Y N N/A	Y N N/A
1. Gender responsive programming addressing sexual abuse/harassment and trauma	Y N N/A	Y N N/A	Y N N/A
2. Gender responsive programming addressing domestic violence and dating violence	Y N N/A	Y N N/A	Y N N/A
3. Gender responsive programming addressing medical care	Y N N/A	Y N N/A	Y N N/A
4. Gender responsive programming addressing mental health care	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

1. Interviews with Dr. Williams, Warden Barrett, Captain McClain, Lt. Young, ADOC Classification Supervisor, Andie Moss, the Moss Group, phone interview with Dr. Van Voorhis.
2. Draft copies of gender classification system as it is submitted for review.
3. Reference materials utilized to develop a gender responsive classification system for ADOC.
4. Implementation plan developed and submitted by Dr. Van Voorhis for new classification system.
5. Composition of Tutwiler Implementation workgroup for new classification system.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Implementation plan developed and submitted by Dr. Pat Van Voorhis, for a gender responsive classification system. 2. Draft policy for a Gender Responsive Classification system for female inmates. 3. Tutwiler SOP for revised/new classification system.	1. Deputy Commissioner Williams 2. Andie Moss, the Moss Group	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.F.3 and III.F.4. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a September, 2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews 2) review of documents, as noted and 3) baseline and compliance visit

1. Deputy Commissioner Williams worked with the Moss Group to identify a national expert for gender classification. Dr. Pat Van Voorhis was recommended and hired by the Moss Group. Her work in gender classification and gender responsive principles is well known nationally and by the Monitor.
2. Dr. Van Voorhis will begin the development of the master plan for a gender based classification system in January, 2016 for implementation at Tutwiler at a later date to be determined.
3. Once the master plan is completed, the draft will be submitted to the Monitor and DOJ for review and comment.
4. This section requires the appointment of an implementation work group by ADOC. This group will be created by ADOC Women's Services, the Moss Group and Dr. Van Voorhis. The appointment of the group will be made after all parties have reviewed and ADOC has approved the final plan for the development of a gender based classification system.
5. The requirements of this section will all be included in the classification plan.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate the compliance of ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. The dates regarding final compliance with this provision will be established after the final plan is approved and the implementation workgroup has been appointed. 2. Monitor would like to see the implementation workgroup establish timelines for this process. Monitor is personally aware of the challenges facing an agency regarding the development and implementation of a new classification process. 3. ADOC should establish a proposed validation process with Dr. Van Voorhis for evaluation after the system has been operational.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. ADOC to submit a summary progress update on June 1, 2016 for Monitor and DOJ.	1. June 1, 2016

RISK ASSESSMENT III.G Risk Assessment									
	Policy						Develop Policy	Implement Policy	
1. ADOC and Tutwiler shall **continue to utilize a risk assessment instrument** to screen for risk of victimization and abusiveness	III.G.1						May 28, 2015	May 28, 2015	
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
Initiate and document communication with facility from which the inmate is received to learn about their incarceration, adjustment issues, disciplinary history, and any other factors relevant to identification of potential predators and victims including pregnancy status.	Y	N	N/A	Y	N	N/A	Y	N	N/A
If an inmate arrives at Tutwiler from another custodial institution, including a county jail, work release placement, or halfway house, the transferring facility is notified that if it is suspected, as a result of either the inmate's self-reporting or after the initial medical evaluation, that sexual abuse in a custodial setting could have caused the pregnancy.	Y	N	N/A	Y	N	N/A	Y	N	N/A
All inmates are assessed during an intake screening within 72 hours of arrival. The screening includes an assessment of an inmate's risk of being sexually abused by other inmates or sexually abusive toward other inmates.	Y	N	N/A	Y	N	N/A	Y	N	N/A
1. In assessing inmates for risk of being sexually abusive, the initial screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence and/or sexual abuse	Y	N	N/A	Y	N	N/A	Y	N	N/A
2. If the screening indicates that an inmate has experienced prior sexual victimization or perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff ensure that the inmate is offered a follow-up with a medical or mental health practitioner within 14 days of the intake screening.	Y	N	N/A	Y	N	N/A	Y	N	N/A
The intake screening includes: Whether the inmate has a mental, physical, or developmental disability; the age of the inmate; the physical build of the inmate; whether the inmate has previously been incarcerated; whether the inmate has a history of substance abuse and/or alcohol dependency; whether the inmate has a history of self injurious behavior and/or suicidal ideation; whether the inmate's criminal history is exclusively nonviolent; whether the inmate has prior convictions for sex offenses against an adult or child; whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; whether the inmate has previously experienced sexual victimization; the inmate's own	Y	N	N/A	Y	N	N/A	Y	N	N/A

perception of vulnerability; and any other factors that have been selected for Tutwiler. Within 30 days of an inmate's arrival at Tutwiler, Tutwiler reassesses the inmate's risk of victimization or abusiveness based upon a trauma screening and assessment developed under III.F2 and any additional, relevant information received by Tutwiler since the intake screening. An inmate's risk level is reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness ADOC and Tutwiler use information from the risk screening to make an individualized and safety-based determination of prisoners' housing, bed, work, education, and program assignments Placement and programming assignments for inmates at high risk of sexual victimization are reassessed at least twice each year to review any threats to safety experienced by the inmate and such inmate's own views with respect to her own safety are given serious consideration.	Y N N/A Y N N/A Y N N/A Y N N/A	Y N N/A Y N N/A Y N N/A Y N N/A	Y N N/A Y N N/A Y N N/A Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
Communication with transferring facilities regarding about several factors relevant to identification of potential predators and victims, including pregnancy status A. Tutwiler SOP for initiating and documentation for communications with jails, halfway house, work release placement for inmates transferring to Tutwiler. B. List showing numbers of inmates transferred from other facilities to Tutwiler over last four months. All documentation preserved for the official communication from Tutwiler to sending facility. I will review random samples. C. Interview the individual(s) who are responsible for making these calls and creating the documents. I can talk to one staff member-if two shifts, then 15 minute brief interview with one from each rotation. D. SOP for notifying a sending facility of any suspicions of sexual abuse that may have resulted in a pregnancy. Copies of any reports made to another facility. Who makes this notification?

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Draft of Tutwiler SOP 8-12, which is currently under revision. Revisions will include this section's requirements. 2. Form 454 C- classification risk assessment checklist. Developed in May 2014 by ADOC office of Health Services. Tutwiler began using it in July 2014. 3. Completed risk assessments on all inmates received at Tutwiler in October 2015. 4. Letters from Warden Barrett that informed two different jails that allegations had been received by his office. The allegations were related to the inmate's custody in the respective jails. 5. Tutwiler classification form that documents a referral is submitted to mental health based on their classification review of the risk assessment checklist, per the requirements of this section. Classification developed the form and keeps on file. 6. Tutwiler/ADOC mental health PREA interview form used to document an interview response to the Risk assessment checklist. Monitor reviewed ten of these completed interview responses by Tutwiler mental health staff. 7. Review of ADOC/Tutwiler mental health staff General Screening form used for new admission evaluations. 8. Tutwiler Mental Health log of PREA referrals and why the referral was made. Twelve referrals were noted on the log submitted October 2014-November 2015. 9. ADOC psychological evaluation form used to for initial evaluation of any inmate referred to them. 10. List of all inmate transfer movements in and out of Tutwiler for August 2015. It lists the reason for the movement and the locations involved in the transfers.	1. Deputy Commissioner Williams 2. ADOC Associate Commissioner for Health Services, Ms. Ruth Naglich 3. Warden Barrett 4. Captain McClain 5. Lt. Young 6. Ms. Westry 7. Dr. Scott Holmes, Tutwiler Psychological Associate 8. MHM Site Administrator 9. Tutwiler Corizon Director of Nursing 10. Ms. Lynn Brown, ADOC Regional Manager 11. Ms. Christy Vincent, ADOC PREA Director 12. Inmate focus group	***1.*** Monitor compliance tour on December 2. Several inmate medical files were reviewed to verify the referral process used in response to the classification risk assessment checklist. Monitor learned that these documents are retained by Dr. Holmes in mental health at Tutwiler. Monitor observed several general mental health interview forms/notes completed by staff. ***2.*** Monitor had multiple discussions with staff about the development, implementation and use of the PREA Classification Risk Assessment checklist. Staff included Ms. Naglich, Ms. Christy Vincent, Ms. Westry, Dr. Holmes, Ms. Lynn Brown, Lt. Young. ***3.*** Inmate focus group.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☒ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC and Tutwiler shall continue to utilize a risk assessment instrument to screen for risk for victimization and abusiveness
2. Tutwiler shall initiate, and document, communication with a transferring facility regarding the Tutwiler inmate arriving, in Intake period. The information request involves background information, like disciplinary history and adjustment to incarceration etc. and any other factors relevant to identification of potential predators and victims, including pregnancy status. In addition, Tutwiler shall notify any transferring custodial facility of any suspicion, as a result of either the inmate self-report or after initial medical exam, that sexual abuse in a custodial setting could have caused the pregnancy
3. All inmates are accessed within 72 hours of arrival at Tutwiler. The screening includes an assessment of an inmates' risk of being sexually abused by other inmates or sexually aggressive toward other inmates. Two sub sections detail more specific requirements for the risk assessment tool.
One specific requirement is: if the screening tool indicates that there is a history of prior sexual victimization, staff will ensure that the inmate is offered a follow-up with a medical or mental health professional within 14 days of the intake screening.
4. Specific details of information that must be included in the risk assessment Intake screening
5. Inmates must receive a reassessment, with thirty days of arrival, of their risk of victimization or abusiveness based on the III. F. 2 requirements and any additional relevant information developed at Tutwiler. Inmates will receive a reassessment if warranted by a referral, incident of sexual abuse or receipt of additional information that bears on inmate risk of sexual abusiveness or victimization
6. Tutwiler will use risk assessment information to make individual and safety based housing, program, bed, work and education.
Placement of inmates who are high risk of sexual victimization are reassessed twice a year to review any threats to safety experienced by the inmate and her personal views regarding her safety

_____

1. ADOC AR 454
2. Tutwiler SOP 8-12
(revisions of both will include all required information in this provision, including form 454-C used for risk assessment)
3. Tutwiler began using form 454-C PREA Risk Factors checklist in July 2014. This form is used to assess women admissions for risk of sexual abusiveness and victimization. This form was created in the ADOC Office of Health Services, as confirmed in my interview with Associate Commissioner Naglich during the compliance visit. She reviewed with the Monitor the resources the group used to develop the checklist, to include other states, the PREA Resource center and PREA standards. Her goal was to create an objective tool rather than a subjective one. It took several months to develop and a pilot period of use was initiated. This tool is referred to as the PREA classification risk assessment and its administered by a trained classification analyst. All classification and mental health were trained to use and respond to this risk assessment checklist. Monitor has a copy and is familiar with this form.
4. The risk assessment tool is administered within 72 hours of admission by a classification analyst, trained to use it. One requirement of this provision is for a follow-up visit with a health care professional, within 14 days, if the assessment reveals a history of victimization or sexual abusiveness. The classification analyst initiates this referral via a form, to the office of Dr. Scott Holmes. Once the inmate is seen, Dr. Holmes or mental health staff completes a referral log they maintain. In addition, there is a form they use to document seeing the inmate, initial assessment and IF the provider recommends the inmate see a mental health professional for an evaluation. These forms are NOT in the inmate medical/mental health records but are maintained by Dr. Holmes in his office.

Classification analyst has the mental health professional, receiving their (hand carried) referral form, sign receipt of the referral and they maintain a file in classification offices.
Monitor reviewed evidence of these classification and mental health forms and also saw formal mental health evaluations that were filed in the Inmate health record. Monitor reviewed a number of medical records on site during the compliance visit.
**NOTE: these forms mentioned above are specifically for response to the PREA classification risk assessment checklist. Mental health has a separate log for documenting any PREA referrals made to their office after allegations are made. Monitor observed 12 referrals on this log from October 2012-November 2015.

5. Classification analysts attempt to communicate and receive information from transferring facilities, per this requirement. The transferring facility does not always respond. The analysts use any PSI (pre-sentence information) available for the court, the court commitment and transcript, where available.
6. Lt. Young, IPCM, is the designated staff who contact any custodial transferring agency regarding any information received that might indicate issues of sexual abuse and possible pregnancy as a result.
7. Monitor reviewed three letters from Warden Barrett, that were sent to three jails regarding allegations of sexual abuse at their facility, according to information received from inmates.
8. Monitor reviewed logs for August 2015, documenting inmate transfers in and out of the facility.
9. Currently Tutwiler reassesses an inmate within 30 days of arrival of additional information or relevant information is received by Tutwiler. The same form, 454-C, is used. They plan to add a new form to the revised SOP 8-12 once revised.
10. Currently, Tutwiler is not formally using information received from the PREA risk assessment Checklist to make the required individual and safety based assignments in their institution. They do not have an electronic system to properly transmit information between various Tutwiler staff who have a need to know.
However, routinely Lt. Young and Dr. Holmes receive a copy of the risk assessment checklist on each inmate. They follow up with any inmates who are either at risk for sexual abuse or at risk for being a sexual abuser. They can, and do occasionally, get involved in recommendations regarding the inmate logistics at Tutwiler.
11. Currently, programming and placement decisions for inmates with a high risk of sexual victimization are NOT reassessed every six months. This provision is being added to the revised SOP 8-12.
12. In the inmate focus group, all inmates but one remembered the risk assessment tool and were comfortable giving the information

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. Revised ADOC AR 454 and Tutwiler SOP 8-12 are under revisions and will include all requirements, forms and procedures in this provision.
2. A PREA Risk Assessment checklist continues to be used within 72 hours of an inmate's arrival. This is a responsive checklist pursuant to this provision.
3. Classification and mental health are staff trained to use the checklist. They have both created forms to use to document referrals for inmates to receive a mental health review.
4. Warden Barrett contacts another custodial facility to report any allegations they receive from inmates about sexual abuse allegations or pregnancy.

5. Lt. Young communicates with other custodial facilities to solicit any information they have about prior sexual victimization, if they will communicate. She maintains records of all of her contacts. 6. There are portions of III. G. 1 that are not currently in Tutwiler policy but are present in AR 454 and 8-12. NOTE. ADOC notified the monitor that the form 454-C PREA Risk Factors checklist was revised and published on January 4, 2016 as a part of the revised ADOC AR 454 PREA policy.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Monitor discussed the current method of documenting and transmitting information from the risk assessment checklist between classification and mental health. I suggest getting one approved form, signed by both parties and a secure place for maintaining these records.	1. May, 2016
2. Monitor discussed with Ms. Naglich 1) inmate ability to refuse to provide the information to the analyst and asked them to review that process, and 2) the requirement that the checklist must be filled out, again, when inmates transfer between ADOC facilities.	2. May, 2016
3. Monitor suggested that the Warden and Captain McClain spend more time with health care staff to increase communication between them all (easy for health care staff to get isolated) and to increase awareness of what they are doing relative to the settlement requirements.	3. Immediately

RISK ASSESSMENT III.G Risk Assessment				
	Policy		Develop Policy	Implement Policy
2. Inmates at high risk for sexual victimization shall not be placed in involuntary segregation housing due to their high risk of victimization unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. Such an assessment and determination shall be documented, explain the basis for Tutwiler's concern for the inmate's safety and the reason why no alternative means of separation can be arranged. A review of such determination must be afforded each inmate at least every 30 days to determine whether there is a continuing need for separation from the general population. 3. Inmates placed in segregated housing due to potential victimization shall, to the extent possible, have full access to programs, privileges, education, and work opportunities as inmates in general population housing.	III.G.2 III.G.3		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Inmates at high risk for sexual victimization are not placed in involuntary segregated housing due to their high risk of victimization unless: 1. An assessment of all available alternatives has been made, and 2. A determination has been made that there is no available means of separation from likely abusers	Y N N/A	Y N N/A	Y N N/A
The assessment and determination is documented and explains the basis for Tutwiler's concern for the inmate's safety and the reason why no alternative means of separation can be arranged.	Y N N/A	Y N N/A	Y N N/A
Each inmate is afforded a review of a segregation determination at least every 30 days to determine whether there is a continuing need for separation from the general population.	Y N N/A	Y N N/A	Y N N/A
Inmates placed in segregated housing due to potential victimization shall, to the extent possible, have full access to programs, privileges, education, and work opportunities as inmates in general population housing	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
Intake Screening A. SOP and procedures for complying with requirement to provide intake screening within 72 hours of arrival. B. Documents, logs, reports that indicate that inmates have received this screening and when it occurred. If contained in inmate files, I will select five records to view for this document. C. Monitor observed one Mental Health professional screening briefly during a previous tour. Will interview this screener for 30 minutes or less, or another person. D. Copy of blank screening tool and several examples of completed screenings in the month of October. E. Inmate focus group F. Interviews with Capt. McClain and Lt. Young G. Documentation showing any referrals to medical or mental health provider. H. Interview with a medical and mental health provider that receive these referrals. I can talk to both together-30 minutes I. Who developed this instrument? J. Evidence of the reassessment occurring within 30 days for inmates risk of victimization.....will review five of these randomly selected while there. How was reassessment prompted-copy of five referrals, including a self referral for three women if applicable K. Copy of the trauma screening tool developed in III. F. 2 Housing, bed, program and education assignments using information gained from the instrument L. SOP or directives for using the risk assessment information in making housing, bed, program decisions. Who makes these assessments? I would like to interview someone who routinely completely completes this process.... M. Interview with people actually making bed/ housing selection-may be same as above. N. Inmate focus group O. Interviews with Warden Barrett, Capt. McClain and Lt. Young and Lt. Coleman (to discuss any grievances filed about housing or programs relevant to this section) P. Evidence of the twice-yearly reassessment for inmates who are high risk for sexual victimization. I would like to review three "reports" or forms that document this review with inmate, randomly selectively.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC 454. 2. Tutwiler SOP 8-12 (under revision). 3. ADOC form 302A-incident report.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Yvette Young 5. Inmate focus group	1. Tutwiler use of form 302A for documenting Incident Report

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16
☐ Substantial Compliance ☐ Partial Compliance ☐ Non-compliance ☒ n/a 2/28/2016	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, and 3) baseline and compliance visits.

1. ADOC 454 and Tutwiler SOP 8-12 include policy on G. 2, 3 in this section.
2. Tutwiler has had this practice in place since February 2014 and staff has received training.
3. Tutwiler procedure requires that ADOC form 302 A (incident report) is used in the event an inmate must be placed in involuntary segregation. Proper documentation, per this section, would be completed.
4. Lt. Young is the designated staff responsible for tracking the number of inmates who are held in or assigned in involuntary segregation because of a risk of sexual victimization for a period longer than 24 hours. Lt. Young will use an Excel spreadsheet to document any event, and this data will be reported in May 2016.

NOTE: the term "involuntary segregation" refers to those inmates who are placed into a segregation status by Tutwiler due to their "risk of possible victimization" if they remain in the general population, while a PREA investigation is initiated and continued.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. Monitor requests they be informed regarding any inmate placed in involuntary segregation from January, 2016 ongoing. Monitor would review ADOC form 302A, documentation from Tutwiler required by this section and the excel spreadsheet maintained by Lt. Young.
2. Monitor requests this notification after 1) when inmate is removed from segregation status on "hold" 2) if extensions are granted beyond 72 hours
3. Monitor will interview any inmate subject to these actions on next compliance visit in 2016.

NOTE: THIS SECTION INCLUDES III.G.2 and III.G.3. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S RECOMMENDATIONS:** *(for at least the next 6 months)*	DATE DUE:
1. Tutwiler to notify Deputy Commissioner Williams immediately if an inmate is placed in involuntary segregation.	1. Immediately upon occurrence

INMATES' RIGHT TO PRIVACY III.H ADOC and Tutwiler shall prevent officers from unnecessarily viewing inmates who are naked or performing bodily functions									
	Policy						Develop Policy	Implement Policy	
1. Cross-Gender Searches : ADOC and Tutwiler shall **continue to comply with its policy** regarding cross-gender pat and strip searches	III.H.1.						May 28, 2015	May 28, 2015	
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
i. ADOC and Tutwiler shall **comply with its policy** regarding cross gender pat and strip searches and shall ensure that appropriate modifications to the policy are made and implemented to include, at a minimum, the items specified in III.H.1.ii to III.H.1.v	Y	N	N/A	Y	N	N/A	Y	N	N/A
ii. Tutwiler will **continue to** not conduct cross-gender strip searches or visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners	Y	N	N/A	Y	N	N/A	Y	N	N/A
iii. Tutwiler will **continue to** prohibit cross-gender pat-down searches of women inmates, absent exigent circumstances. Inmates' access to regularly available programming or other out-of-cell opportunities shall not be restricted in order to comply with this provision.	Y	N	N/A	Y	N	N/A	Y	N	N/A
iv. Tutwiler shall document all cross-gender strip searches, cross-gender visual body cavity searches, and cross gender pat-down searches of women inmates, and shall document the exigent circumstances that warranted the search. To the extent that any such searches were conducted, Tutwiler shall provide this documentation to the Monitor and DOJ on a quarterly basis	Y	N	N/A	Y	N	N/A	Y	N	N/A
v. ADOC and Tutwiler shall train security staff in how to conduct cross-gender pat-down searches and searches of transgender and intersex inmates, when required, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs	Y	N	N/A	Y	N	N/A	Y	N	N/A

MONITOR'S MEASURES OF COMPLIANCE
*i. ADOC and Tutwiler shall **comply with its policy** regarding cross gender pat and strip searches and shall ensure that appropriate modifications to the policy are made and implemented to include, at a minimum, the items specified in III.H.1.ii to III.H.1.v* A. Policy/ SOP for cross gender searches-any modifications that have occurred B. Documents generated for ANY strip search or visual body search under exigent circumstances since June 2015 C. Documents generated for any cross gender pat downs that occurred due to exigent circumstances June 2015 D. Interviews to determine if any inmates' access to programming or other out of cell activities have been impacted by this policy. Interviews-Warden Barrett, Capt. McClain, Lt. Young, Lt. Coleman, staff member who supervises inmate assignments to programs, inmate focus group and staff focus group and overtime employee interviews E. Training records, schedules for training for all security staff, who have been trained, regarding proper methods to conduct cross gender pat down searches and searches of transgender and intersex inmates. Numbers of staff who need this training F. Curriculum used for this training and who developed it. G. Plan/SOP for continuing to provide this training to new hires/transfers in to Tutwiler

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454. 2. Tutwiler SOP 8-12- Monitor read draft. It is currently under revision to be more inclusive of all settlement issues. They have operated from the SOP 8-12 since February 2014. 3. Documentation of ADOC 2015 annual in-service training for "PREA update, AR 454, Cross Gender Searches and LGBTI Liabilities Standards" for Tutwiler employees. 4. Lt. Young logs to document any searches falling under this provision. 5. NIC video " Guidance in Cross Gender and Transgender Pat Searches"	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Lt. Coleman 6. Lt. Goodson- Shift Commander and Master Trainer 7. Lt. Nelson-annex Shift Commander and Master Trainer 8. Staff focus groups 9. Inmate focus group 10. Andie Moss, the Moss Group	1. Baseline tour of entire Tutwiler institution and informal interviews with inmates and staff. 2. Compliance tour, with formal inmate focus group, and informal inmate interviews. 3. The monitor did not see any evidence of either cross gender strip or pat searches, since February 2014, during either of the compliance tours.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate the steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC AR 454 and Tutwiler SOP 8-12 currently include the policy regarding cross gender strip searches and cross gender pat searches
2. Tutwiler shall not allow cross gender strip searches or pat searches, absent exigent circumstances
3. Inmates access to programming or out of cell activities will not be restricted by adherence to this provision
4. Tutwiler shall document all cross gender strip searches and cross gender pat searches. Documentation will include full description of exigent circumstances

III.H.1.i-v

5. ADOC and Tutwiler shall train all security staff in methods to conduct cross gender pat searches and searches of transgender and intersex inmates in a professional and respectful manner, least intrusive manner.

_____

1. ADOC 454 and Tutwiler SOP 8-12 contain this specific policy and its been in practice since February 2014 at Tutwiler
2. At the time of the compliance visit, there had not been any cross gender strip searches or cross gender pat searches since the effective date of the settlement. Monitor verified this with interviews, review of grievances, and conducting staff and inmate focus groups
3. Tutwiler trained all security staff during annual ADOC in-service training. The training was developed by ADOC trainers and is a three hour module. Resources used for the training included the video produced through the National Institute of Corrections, "Guidance in Cross Gender and Transgender Pat Searches". Monitor participated in the development of this video through a grant to the Moss Group from NIC.
4. Interviews with Tutwiler leadership staff, inmate focus group and review of grievances did not reveal any evidence of any inmate having restricted access to programming or other out of cell activities.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. ADOC policy 454 and Tutwiler SOP 8-12 has been in practice since February 2014. 2. There have been NO incidences of cross gender strip searches or pat searches since February 2014. 3. Staff has been trained, as required, in 2015. National resources were used in this training.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
Continue compliance with this provision	Ongoing

INMATES' RIGHT TO PRIVACY III.H ADOC and Tutwiler shall prevent officers from unnecessarily viewing inmates who are naked or performing bodily functions											
	Policy						Develop Policy		Implement Policy		
2.i Cross- Gender Viewing: ADOC and Tutwiler shall develop, submit to the Monitor and DOJ for review consistent with Section A.III.6, and implement policies and procedures that enable inmates to perform bodily functions – such as showering, bathing, and using the toilet – and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances of when such viewing is incidental to routine cell checks 2.ii ADOC and Tutwiler shall develop, submit to the Monitor and DOJ for review consistent with Section III.A., and implement policies and procedures regarding the method of conducting inmate counts. This policy and procedure shall limit inmate movement during inmate counts and shall prohibit the practice of conducting inmate counts while inmates are likely to be in the shower and toilet areas	III.H.2.i III.H.2.ii						February 28, 2016		February 28, 2016		
REQUIREMENTS	Policy Developed			Staff trained			Policy Implemented				
Inmates can perform bodily functions – such as showering, bathing, and using the toilet – and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia 1. Except in exigent circumstances or 2. When such viewing is incidental to routine cell checks	Y	N	N/A	Y	N	N/A	Y	N	N/A		
Male staff is required to announce their presence before entering an inmate housing unit and again before entering the shower or toilet areas.	Y	N	N/A	Y	N	N/A	Y	N	N/A		
Inmate movement during count is limited	Y	N	N/A	Y	N	N/A	Y	N	N/A		
Conducting inmate counts while inmates are likely to be in the shower and toilet areas is prohibited	Y	N	N/A	Y	N	N/A	Y	N	N/A		

MONITOR'S MEASURES OF COMPLIANCE
INMATES can perform bodily functions -such as showering, bathing, and using the toilet-change clothing without non-medical staff of the opposite gender viewing... a. Tutwiler SOP for inmates right to privacy for using bathroom facilities and change clothing without being viewed by opposite gender. b. Documentation memo/rosters confirming staff training for these practices. c. Review of SOP 5-0 for dorm supervision. d. Interviews with Warden, Capt. McClain, Lt. Young, shift captains, Lt. Coleman. e. Focus groups with staff and inmates. f. Review of any shift logs (on site) of count times routinely used and shower schedule for inmates. h. Tours of facility housing areas.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC 454. 2. Tutwiler SOP 8-12. 3. Tutwiler SOP 5 (for all dorms)--under review. 4. Shift logs for dorm officers. 5. Logs for shift commanders' random dorm inspections. 6. Logs for top leadership random dorm inspections. 7. Staff training rosters.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Lt. Coleman 6. Ms. Christy Vincent, ADOC PREA Director 7. Ms. Tamara Jackson, ADOC Grievance Appeal Coordinator 8. Staff focus groups 9. Inmate focus group	1. Baseline visit involved tours of all housing units and bathrooms. Random informal interviews with inmates and officers assigned to these areas. Monitor observed proper protocol by staff regarding provisions of this requirement. 2. Compliance visit, Monitor observed adherence to principles in these requirements.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE:1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. ADOC 454 and Tutwiler SOP 8-12 include policy for III.H. 2 and it has been in practice since February 2014.
2. Tutwiler SOP 5.0 -Dorm Security-is in practice since July 2015 in all Tutwiler housing areas. This SOP is under revision by the Moss Group to be more inclusive of settlement issues. Monitor reviewed the 5.0 set of procedures for every named housing area in September 2015.
3. Monitor discussed dorm supervisor responsibilities for officers in the four staff focus groups, held during compliance visit. The staff were all knowledgeable of their roles regarding privacy requirements in this section. Monitor observed staff announcing their presence while doing checks. Staff acknowledged the positive benefit of announcing their presence in bathroom areas.
4. Monitor reviewed shift logs for each housing area and saw the scheduling of dorm counts, which were not held during established shower times in each dorm.
5. Monitor reviewed logs for shift commanders and Tutwiler leadership that documented their unannounced inspections in the housing areas. One purpose of these unannounced inspections/visits is to monitor the activities of the officers and ensure that proper protocols are being followed.
6. Monitor reviewed all inmate grievances from September-October at Tutwiler and found no complaints about privacy issues in the shower, toilet areas.
7. Monitor toured every housing area at Tutwiler on baseline visit.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. Monitor will review shift logs during time period of January-May 2016.
2. Monitor will review documentation of shift commanders and Tutwiler leadership and their unannounced inspections of housing areas
3. Monitor will review random inmate grievances from January-May 2016
4. Monitor will conduct staff and inmate focus groups during next compliance visit
5. There is a posted address for the monitor that is on inmate bulletin boards throughout the facility. It is available for inmates to submit letters confidentially. The monitor has received several inmate letters and reviews them for any alleged PREA violation or provisions of the settlement. Monitor contacts ADOC and DOJ when it is believed that the allegations need investigation.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. All staff supervisors sign their own name or initials in the shift logs for each housing area.	1. Immediately
2. ADOC keep a record of staff who violate the privacy rights of inmates, as described in this section, and report this data.	2. May 2016
3. Monitor will be notified of any employee who receives active discipline for violation of inmate privacy, according to this section.	3. Upon issuance of discipline

INMATES' RIGHT TO PRIVACY III.H ADOC and Tutwiler shall prevent officers from unnecessarily viewing inmates who are naked or performing bodily functions				
	Policy		Develop Policy	Implement Policy
3. ADOC and Tutwiler shall **continue to implement** its plan to address the architectural features that contribute to a lack of privacy for inmates while showering or using the toilet	III.H.3		May 28, 2015	May 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Continue to implement plan to address the architectural features that contribute to a lack of privacy for inmates while showering or using the toilet.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
A. Documents that describe procedurally how this requirement has been implemented. Specifically what renovations/additions occurred. B. Tour of housing facilities (previous visit Sept. 29-30) and visit this time. C. Interviews with Warden Barrett, Captain McClain, Lt. Young, Dr. Williams - inmate focus group, staff focus group.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC 454 2. Tutwiler SOP 8-12	1. Deputy Commissioner Williams 2. Warden Barrett 3. Lt. Young 4. Captain McClain 5. Staff focus groups 6. Inmate focus groups 7. Lt. Coleman	1. Baseline visit toured all areas 2. Focus groups of staff and inmates

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC and Tutwiler will continue to implement its plan to address the architectural features that contribute to a lack of privacy for inmates while showering or using there toilet

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1. Tutwiler completed the structural privacy requirements in October 2014. This includes shower curtains on all showers and privacy partitions in for each toilet. Monitor visited every housing area at Tutwiler on the baseline visits and toured every bathroom. Monitor observed these privacy features in each one
2. Tutwiler SOP 5-0 requires dorm officers to monitor the routine maintenance needs in these bathrooms and make a request for maintenance assistance whenever necessary. Monitor observed maintenance staff working In the bathroom areas on both visits.
3. Inmate and staff focus groups were asked about these privacy features and all groups agreed with the necessity of having them at Tutwiler.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits. 1. Monitor visited every bathroom and shower area at Tutwiler on baseline visit and found these privacy features present in all areas 2. Daily unannounced rounds by shift commanders involve walking through dorm and females, walk into the bathroom/shower areas.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Continue to watch the "wear and tear" on the shower curtains and particularly the salon doors. Monitor recommends using only salon doors as much as possible. Monitor understands that handicapped toilets need a curtain. 2. Monitor inmate grievances to see any privacy complaints.	1. Ongoing 2. Ongoing

REPORTING ALLEGATIONS OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.I In order to adequately identify and respond to all instances of sexual abuse and sexual harassment at Tutwiler, ADOC and Tutwiler shall ensure that all inmates, staff, and third-parties have multiple unimpeded methods to report incidents of sexual abuse and sexual harassment free from retaliation				
	Policy		Develop Policy	Implement Policy
1. ADOC and Tutwiler shall **continue to comply with its policy** on reporting allegations of sexual abuse and sexual harassment. Any modification of that policy shall be submitted to DOJ and the Monitor for review consistent with Section III.A.6. ADOC and Tutwiler shall provide multiple internal methods, including a grievance process and at least one confidential method, for inmates to report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.	III.I.1		May 28, 2015	May 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Inmates have multiple internal methods, including a grievance process and at least one confidential method, to report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.	Y N N/A	Y N N/A	Y N N/A
Reports are accepted verbally, in writing, anonymously, and from third parties including other inmates, Tutwiler staff, and the inmate's friends and family, advocates or legal representation.	Y N N/A	Y N N/A	Y N N/A
Staff promptly document verbal reports in writing.	Y N N/A	Y N N/A	Y N N/A
Information on how to report sexual abuse or sexual harassment on behalf of an inmate is distributed publicly.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
ADOC and Tutwiler shall continue to comply with its policy on reporting allegations of sexual abuse and sexual harassment.....shall provide multiple internal methods, including a grievance process and at least one confidential method... A. Policy and SOP for inmate reporting of allegations of sexual abuse and harassment. B. Description in a list of ALL ways ADOC and Tutwiler expect inmates to have access to in order to report allegations C. Grievances submitted regarding complaints about reporting issues D. Copies of documents containing inmate and/or another inmate (3rd party) reports/concerns about sexual abuse/ harassment E. Interviews with Warden Barrett, Dr. Williams, Capt. McClain, Lt. Young, Lt. Coleman, psychologist, DOC internal affairs director, DOC PREA Director, staff focus groups and inmate group F. Documents/ logs (copies of individual reports is ok) showing staff receiving reports of inmate allegations during this time frame G. Information/SOP on how "information on how to report sexual abuse or sexual harassment on behalf of an inmate is distributed publicly" H. Reports from ADOC and Tutwiler that capture routinely the number, type etc of inmates reports from June-Nov. 1 I. In interview with Dr. Williams, progress on process for an inmate report to public/ private entity and staff to report confidentially. (#2, 3 in III. I.)

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454 and Tutwiler SOP 8-12 (under revision) 2. Documentation of the 1-800 PREA phone system usage at Tutwiler. Emails from ADOC central office to Lt. Young reporting calls received-three were noted. 3. Inmate Orientation module and rosters for inmate attendance 4. Inmate education two hour module-includes specifics on grievances 5. ADOC website (third parties can report on a link on home page) 6. Posters around Tutwiler that direct inmates on how to reports any allegations of sexual abuse and sexual harassment 7. Postings for inmates and staff at Tutwiler, informing them of how to confidentially contact the Monitor.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Ms. Christy Vincent, ADOC PREA Director 4. Ms. Tamara Jackson, ADOC grievance appeal manager 5. Anne Hill, ADOC General Counsel and supervisor for Ms. Jackson 6. Captain McClain 7. Lt. Young 8. Lt. Coleman 9. Warden I Wright 10. Staff focus groups 11. Inmate focus groups 12. Shift Commanders Lt. Goodson and Lt. Nelson 13. Dr. Scott Holmes-Tutwiler Psychological Associate	1. Baseline and compliance visits observed the PREA posters, system for filing grievances confidentially, toll free PREA hotline phones, law library boxes for inmate letters and a locked box for grievances.

Monitor has received one letter. 8. Monitor reviewed all grievances submitted in September and October 2015. 9. Tutwiler SOP 8-22 Inmate Grievance Procedure. 10. ADOC spreadsheet documenting ALL allegations of a PREA violation in the four categories. The four categories of PREA violations are: Sexual abuse; Sexual harassment; Retaliation by other inmates or staff for reporting sexual abuse or harassment; and Staff neglect or violation of responsibilities that may have contributed to these incidents. 11. Monitor reviewed five completed PREA investigations, conducted by the ADOC Investigations Unit. Two were allegations made against Tutwiler employees. Monitor reviewed these files in interview with Mr. Arnaldo Mercado, Director of Investigations unit. 12. Institutional grievance log of all grievances filed, maintained by Lt. Coleman, since initiation of the process on August 31, 2015. First grievance filed on 9/02/15. 13. Log created and maintained by Ms. Tamara Jackson, of all the Tutwiler grievance appeals she has received since initiation of the process. At time of the compliance visit, she had received 32 appeals.	14. ADOC Investigations Director, Mr. Arnaldo Mercado 15. ADOC investigator Ms. Kelley Smith	

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☒ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC and Tutwiler shall continue to comply with its policy on reporting allegations of sexual abuse and sexual harassment
2. Inmates should have multiple internal methods, including a grievance system and at least one confidential method, to report sexual abuse and sexual harassment, retaliation.....and staff neglect or violation of their responsibility that may have contributed to the alleged incident
3. Reports are accepted verbally, in writing, anonymously, and from third parties, to include other inmates, staff, friends and family, advocates or lawyers. The verbal reports will be documented by Tutwiler staff
4. Information on how to report is distributed publicly
_____

1. ADOC 454 and Tutwiler 8-12 both include policy referenced in III. 1. I. which has been in practice since February 2014.
2. Staff have received training on this provision.
3. ADOC and Tutwiler provide multiple methods of reporting allegations of sexual abuse and sexual harassment, retaliation and staff conduct that would interfere with reporting. The Monitor has verified the following methods by policy, interviews, documents and on site observations:
a. Inmates can report allegations to any Tutwiler employee, verbally or in writing
b. Inmates may place a call on the PREA toll free hotline phone-available for LEP inmates also- and these phones are located in housing areas throughout the facility and annex. This phone is monitored in ADOC central office. The staff member who takes the calls in ADOC contacts Lt. Young immediately upon receiving any PREA allegation, retaliation or issues of safety. Monitor observed these phone operations during both visits, reviewed the email notifications sent from ADOC to Lt. Young. Monitor also discussed the use of these phones in the staff and inmate focus groups and all were aware of their purpose. Monitor did have to clarify, in the inmate group that no Tutwiler employee is involved in hearing the initial confidential call made--it goes to ADOC.
c. Inmates may report to Lt. Young, IPCM, and interview with Lt. Young and Inmates indicate that inmates are aware of her role-- her assistance to inmates.
d. Inmates may use pre-addressed envelopes to ADOC Investigations unit in Montgomery, and make a direct report to their investigators. The box for these letters is in the inmate law library.
e. Tutwiler and ADOC accept any third party reports, pursuant to requirements in this provision
f. The grievance policy was developed and made operational on August 26, 2015. Inmates can file grievances regarding allegations. They can also file an Emergency Grievance, which has an expedited method for review and process.
4. ADOC provides external methods of reporting by individuals accessing the ADOC website. There is a place on the bottom of the site where the public can make a report.
5. Tutwiler has PREA posters located throughout the facility and annex.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

1. ADOC 454 and Tutwiler include policy for this provision and it has been operational since February 2014.
2. Monitor confirms 7 different methods, detailed above, available for inmates, third parties or the public to report allegations of sexual abuse and sexual harassment and retaliation.
3. Staff and inmate focus groups were all aware of multiple methods of reporting available to inmates and staff
4. Monitor reviewed inmate grievances filed in September/October 2015 and see that it a viable tool for use by inmates. The credibility of the new grievance system is in the "development stage" for inmates, as the Monitor would anticipate in her experience.
5. Monitor reviewed the ADOC Internal Investigation PREA log that demonstrated that allegations are made and properly investigated.
6. In the interview with Lt. Young, she shared a practice she employs, not required by the settlement, to informally allow inmates to talk to her about any concerns. Weekly, she asks five random inmates to come to her office and she goes over a checklist of PREA issues with these inmates. They include any concerns, their awareness of reporting methods and any known incidents that made them or others uncomfortable. The Monitor felt this was an excellent idea and representative of how seriously Lt. Young takes her responsibilities at Tutwiler PREA Coordinator.

7. There are postings throughout the facility and annex that describe the methods available for inmates to contact the Monitor confidentially-through email (external availability for family) and in written letters. There is a similar posting for employees to report any concern confidentially to the Monitor. *NOTE:* Monitor has recently received several inmate letters. The Monitor has referred one letter to ADOC for investigation and one letter to ADOC for further discussion for policy implications and review. 8. Tutwiler weekly orientation sessions include a thorough PREA education session by Lt. Young and a informational session of the grievance system by Lt. Coleman

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. ADOC is in process of revising AR 319-Grievance Policy. The current Tutwiler SOP 22 is under revision for expert external review and in light of comments made by the monitor and DOJ. The monitor believes that a strong grievance system is a critical component of having a routine access for inmates to report ANY type of allegation, including PREA violations. ADOC needs the completed and published AR 319 and Tutwiler SOP 8-22 to be in full material compliance with this provision. The monitor notes a functioning grievance system presently that is being used by inmates but believes the revisions will provide a more robust system per the requirements in the settlement. Monitor and DOJ will review the revised AR 319 and SOP 8-22.	1. As soon as possible
2. ADOC implement a method for inmates to report to a non-ADOC entity, either public or private, per this provision. Inmates, staff and inmate families need to be made aware, in writing, of the availability of this non-ADOC entity as soon as it's available. Procedures need to be developed for the reporting relationship of this entity to ADOC-who and how before it's implemented.	2. As soon as possible
3. Inmates need to be clearly aware that the PREA hotline and its operations is answered-reviewed by ADOC and not Tutwiler staff. This information should be in intake information, orientation and posted on the phones themselves.	3.Immediately
4. ADOC should collect and report data required in this provision and in IV. D. 2.Specifically, this should include all allegations of sexual abuse and sexual harassment and retaliation, including allegations received by a third party. This data should include dates, type, summary of allegation, source of allegation, initial actions taken by ADOC. In addition, data for the use of the inmate toll free phone system, to include date, summary of call and referral to Tutwiler and their response. Currently, the grievances filed by inmates are documented in a spreadsheet. These grievances should be tracked according to inmate, type of allegation, summary of investigation or referral for an investigation, and dates for initiation and resolution.	4. Ongoing

REPORTING ALLEGATIONS OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.I In order to adequately identify and respond to all instances of sexual abuse and sexual harassment at Tutwiler, ADOC and Tutwiler shall ensure that all inmates, staff, and third-parties have multiple unimpeded methods to report incidents of sexual abuse and sexual harassment free from retaliation				
	Policy		Develop Policy	Implement Policy
2. ADOC and Tutwiler shall also provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. The method provided should be through a toll-free number or other method as agreed to by the Monitor and DOJ. 3. ADOC and Tutwiler shall provide a method for staff to confidentially report sexual abuse and sexual harassment of inmates	III.I.2 III.I.3		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Inmates have at least one way to report abuse or 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 inmate reports of sexual abuse and sexual harassment to agency officials	Y N N/A	Y N N/A	Y N N/A
An inmate may remain anonymous upon request when making such a report	Y N N/A	Y N N/A	Y N N/A
The method provided should be through a toll-free number or other method as agreed	Y N N/A	Y N N/A	Y N N/A
Staff have a method to confidentially report sexual abuse and sexual harassment of inmates	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

1. ADOC 454.
2. Tutwiler SOP 8-12.
3. Contract/ agreement with external agency.
4. Review of instructions given to staff and inmates for use/ access to this external agency.
5. Interviews with Commissioner Williams, Warden Barrett, Captain McClain, Lt. Young, Ms. Christy Vincent,

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Review of revised ADOC AR 454. 2. Review of revised Tutwiler SOP 8-12 (to include these provisions in policy). 3. Written agreements negotiated with an external agency available for inmate to report allegations confidentially and anonymously. 4. Tutwiler SOP or written instruction provided to inmates to access the external agency. 5. Documentation in inmate orientation program where this access is described. 6. Any staff training documentation for employees to understand access to this external agency. 7. Review of any written correspondence received by Monitor by inmates or staff at Monitor's PO Box in NC.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Lt. Coleman 6. Ms. Christy Vincent, ADOC PREA Director 7. Interview with representative of external agency 8. Staff focus groups 9. Inmate focus group	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.I.2 and III.I.3. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE:1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. ADOC 454 and Tutwiler SOP 8-12. The revision of both of these policies will contain this section.
2. During compliance visit, Monitor interviewed Ms. Christy Vincent, ADOC PREA Director, and Ms. Anne Hill, ADOC General Counsel. The Monitor discussed the section requiring a public or private entity for inmates to report sexual abuse or harassment, with Ms. Christy Vincent and Ms. Hill. Ms. Vincent is tasked with identifying a public or private entity that will provide the services required by this section. Ms. Hill stated that they hoped to have a contract extended to a community provider by February 28, 2016. Monitor will review an executed contract.

3. Tutwiler has PREA toll free hotline phones available in each housing areas. They can be used in either English or Spanish. Signs are clearly posted for use of these phones. Monitor observed these phones during baseline visit. Monitor discussed the awareness and use of these phones during the inmate focus group. The inmates were aware of the phone and a few had used it.

4. The ADOC website has a 'box' in red for the public, including staff, to make a direct report to the ADOC Division of Investigations and Intelligence. It is not specific to PREA. The website has a listing for all ADOC Administrative Regulations and AR-454 for PREA is listed there.

5. Staff and inmates can write a letter confidentially to the Monitor. There are postings for inmates and staff at Tutwiler that give the post office box and address for written or email contact to be made with the Monitor. The Monitor has received four inmate letters. The posting for an address for inmates to contact the monitor was placed on the inmate bulletin boards in late November 2015. It was posted by the compliance visit and monitor saw them. The monitor received one letter in the third week of December and three letters the first week of January 2016. The monitor had not received any more letters, as of February 1, 2016.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits. 1. Review of ADOC contract with a public or private community provider. 2. Interview with staff from community provider during next compliance visit in 2016. 3. Review of use of the hotline phone from January-May 2016. 4. Review of grievances from January-May 2016 for complaints about confidential reporting access by inmates. 5. Monitor will discuss confidential staff and inmate access to report allegations during the focus groups for staff and inmates during next compliance 2016 visit.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Provide information to All Tutwiler inmates clearly about the availability of their access to a contracted public or private provider. It should be posted in all housing areas. 2. This information should be included in orientation. 3. ADOC should provide an orientation and tour for the staff of the contracted provider upon contract execution and before notice is posted to inmates. The posting can go up the same day of the tour. 4. ADOC and Tutwiler shall educate all of their staff about the community provider and document how this is accomplished 5. The ADOC website has "red box" on their home page for individuals to make a report to their Division of Investigation and Intelligence. I suggest they make a more specific reference regarding the ability to make a PREA report - it can be on the next link that takes specific information from the sender.	1. Upon execution of contract. 2. Upon execution of contract 3. As soon as contract is executed and before notice posted to inmates. 4. After contract execution 5. As soon as feasible

REPORTING ALLEGATIONS OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.I In order to adequately identify and respond to all instances of sexual abuse and sexual harassment at Tutwiler, ADOC and Tutwiler shall ensure that all inmates, staff, and third-parties have multiple unimpeded methods to report incidents of sexual abuse and sexual harassment free from retaliation				
	Policy		Develop Policy	Implement Policy
4. Third parties shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and sexual harassment, and shall also be permitted to file such requests on behalf of inmates 5. All third party reports of sexual abuse and sexual harassment shall be forwarded immediately to the Departmental PREA Coordinator and be investigated and processed in accordance with Policy. As part of this process, the Departmental PREA Coordinator will inform Tutwiler's PREA Compliance Manager of all third party reports received.	III.I.4 III.I.5		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Third parties can assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and sexual harassment	Y N N/A	Y N N/A	Y N N/A
Third parties can file requests for administrative remedies relating to allegations of sexual abuse and sexual harassment on behalf of inmates	Y N N/A	Y N N/A	Y N N/A
All third party reports of sexual abuse and sexual harassment are forwarded immediately to the Departmental PREA Coordinator and are investigated and processed in accordance with Policy.	Y N N/A	Y N N/A	Y N N/A
The Departmental PREA Coordinator informs Tutwiler's PREA Compliance Manager of all third party reports received	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
THIRD parties can assist inmates in filing requests for grievances. a. Review of ADOC and Tutwiler policy for third party assistance. b. Review of revised AR 454 and SOP 8-12 c. Training documentation for staff regarding this SOP d. Review of grievances filed since Nov. 2015-compliance visit in 2016 e. Interviews with Dr. Williams, Warden, Capt. McClain, Lt. Young, Lt. Coleman, DOC staff member who reviews inmate grievance appeals, DOC PREA Director F. Tracking logs, etc. used for documenting third party assistance

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised Tutwiler SOP 8-12. 3. Documentation of training /instruction given to staff and inmates regarding this requirement affecting use of third party reports. 4. Review of any revisions made to the Grievance policy.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Ms. Christy Vincent, ADOC PREA Director 6. Lt. Coleman 7. Ms. Tamara Jackson 8. ADOC General Counsel, Ms. Anne Hill	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.I.4 and III.I.5. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. ADOC 454 and Tutwiler SOP 8-12 are under revision by the Moss Group and will contain these specific requirements in this section
2. Tutwiler states they have these requirements in practice but not in policy. Staff will receive training after the policies are revised.
3. Tutwiler grievance procedures should be appropriately revised to make it clear that third parties, assisting inmates with filing administrative remedies, can include other inmates. Monitor has discussed this issue in inmate focus group and believes it is a necessary component at this stage of the implementation of the grievance system. The grievance Coordinator, Lt. Coleman, can report the suspected abuse of this process to the Warden. Monitor knows that one or more inmates could abuse this opportunity by using other inmates' grievances to address their personal concerns or issues. Monitor is willing to discuss this suggestion with ADOC and Tutwiler.
4. Inmate orientation should include directives regarding this section. Written guidelines would be helpful.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/18/16
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits 1. See items 1, 3 and 4 in above section. 2. Monitor will hold staff and inmate focus groups during next compliance 2016 visit. 3. Review of inmate grievances from January-May 2016. 4. Interviews with Ms. Christy Vincent, ADOC PREA Director, and review any third party reports received by her once the policy is initiated. 5. Interview with Lt. Young , IPCM, and review any third party reports.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
See items 1, 3 and 4 in the monitor discussion on steps taken by ADOC and Tutwiler. 1. Revise ADOC 454 and Tutwiler SOP 8-12 as in item 1 in monitor discussion of steps taken by ADOC and Tutwiler above. 3. Revise Grievance procedure as in item 3 in monitor discussion of steps taken by ADOC and Tutwiler above. 4. Include written directives regarding this section in inmate orientation as in item 4 in monitor discussion of steps taken by ADOC and Tutwiler above.	Concurrent with policy revision and implementation

REPORTING ALLEGATIONS OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.I In order to adequately identify and respond to all instances of sexual abuse and sexual harassment at Tutwiler, ADOC and Tutwiler shall ensure that all inmates, staff, and third-parties have multiple unimpeded methods to report incidents of sexual abuse and sexual harassment free from retaliation									
	Policy			Develop Policy			Implement Policy		
6. Grievances: ADOC and Tutwiler **shall continue to develop** and submit policies and procedures for an inmate Grievance System to the Monitor and DOJ for review **within three months of the effective date** and, **within four months of the effective date**, implement the inmate Grievance System. This policy shall clearly prohibit retaliatory practices by staff against inmates who file a grievance and should include the requirements listed in III.I.6.ii-ix 6.viii ADOC and Tutwiler shall develop, submit to the Monitor and DOJ for review consistent with Section III.A.6, and implement policies and procedures for the filing of an emergency grievance where an inmate is subject to a substantial risk of imminent sexual or physical abuse	III.I.6 III.I.6.viii			August 28, 2015 TO DOJ			September 28, 2015		
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
All inmates receive orientation on the Grievance system during orientation	Y	N	N/A	Y	N	N/A	Y	N	N/A
ADOC will offer quarterly education on the Grievance System throughout the first year of implementation. Inmates will be required to attend at least once. [Dec 2015, Mar 2016, June 2016, Sep 2016]	Y	N	N/A	Y	N	N/A	Y	N	N/A
ADOC and Tutwiler shall ensure that all staff receive training on the Grievance System upon implementation and through annual in-service training	Y	N	N/A	Y	N	N/A	Y	N	N/A
Grievance forms are available on all units	Y	N	N/A	Y	N	N/A	Y	N	N/A
ADOC and Tutwiler assist inmates who are limited English proficient, visually impaired, have a mental health impairment, are otherwise disabled, or who have limited reading or writing skills in accessing the grievance system	Y	N	N/A	Y	N	N/A	Y	N	N/A
An inmate who alleges sexual abuse or sexual harassment, or any other verbal or physical abuse by staff, may submit a complaint without submitting it to a staff member who is the subject of the complaint, and such complaint is not referred to a staff member who is the subject of the complaint	Y	N	N/A	Y	N	N/A	Y	N	N/A
An inmate is not required to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse, sexual harassment, or any other verbal or physical abuse by staff.	Y	N	N/A	Y	N	N/A	Y	N	N/A

A final decision on the merits of any portion of a complaint alleging sexual abuse, sexual harassment, or any other verbal or physical abuse by staff is issued within 30 days of the initial filing of the complaint, with the option of an extension of up to an additional 30 days, approved and documented by facility designee, with written notice of status provided to inmate	Y N N/A	Y N N/A	Y N N/A
Emergency Grievances: After receiving an emergency oral or written complaint alleging an inmate is subject to a substantial risk of imminent sexual or physical abuse, ADOC and Tutwiler shall:	Y N N/A	Y N N/A	Y N N/A
1. Immediately forward the Grievance (or any portion that alleges the substantial risk of imminent sexual or physical abuse) to a level of review at which immediate corrective action may be taken	Y N N/A	Y N N/A	Y N N/A
2. Provide an initial response within 48 hours	Y N N/A	Y N N/A	Y N N/A
3. And issue a final decision within five calendar days	Y N N/A	Y N N/A	Y N N/A
4. The initial response and final agency decision documents the ADOC's and/or Tutwiler's determination whether the inmate is in substantial risk of imminent sexual or physical abuse and the action taken in response to the emergency grievance	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

6 viii. ADOC and Tutwiler shall continue to develop and submit policies and procedures for an inmate Grievance system to the Monitor and DOJ for review; implementation of system within 4 months of effective date.

ADOC and Tutwiler shall develop....and implement policies and procedures for the filing of an emergency grievance where an inmate is subject to a substantial risk of imminent sexual or physical abuse.

A. Grievance policy and procedures
B. Implementation plan from Warden, Dr. Williams
C. Training module for inmate education on grievance policy and examples of documentation of all inmates receiving it- written directive on process for continuing to inform inmates about grievance system on initial day of admission to Tutwiler. Orientation
D. Staff training /education curriculum about Grievance system- schedule for in service training. How many staff have been trained on each rotation. New employees process of education that is utilized.
E. Review of grievances filed since grievance system was implemented and inmate's received education on the process -I can review on site Lt. Coleman's files-pending and completed. Review of his logs and any documents he created or anyone else to manage the grievance process and extensions
F. Grievance form
G. Location of all boxes, methods of inmates filing a grievance
H. Documents that demonstrate Tutwiler Assistance with inmates who are limited English proficient, have mental health impairment, disabled or have

reading / writing limitations in accessing the grievance process
I. Interviews with Dr. Williams, Warden Barrett, Capt. McClain, Lt. Young, Lt. Coleman, staff and inmate focus groups. Shift Captain on each rotation-15 minutes or less. DOC PREA manager, DOC person receiving all inmate grievance appeals.
J. Comments received from DOJ review of this policy
K. Evidence of final resolution in 30 days of filing...reviewing the documents and interviews should verify this requirement
L. Review of any "emergency grievances" filed. Compliance with requirements of this section will occur in interviews with named staff and document review.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454. 2. Tutwiler SOP 8-22, Inmate Grievance System. 3. Memo from Commissioner Williams, dated August 6, 2015, to Warden Barrett regarding implementation of new grievance system on August 31, 2015. Attached was information Poster that will be placed all around the Tutwiler facility. 4. Inmate grievance form, appeal forms. 5. Inmate Education program--all inmates received this module the week of July 20, 2015. They continue to receive information in Orientation and quarterly sessions. 6. Inmate Orientation program-offered since July 27, 2015. 7. Staff training schedules for New grievance system in August 2015 and curriculum utilized. 8. Grievances filed with Lt. Coleman from September -	1. Deputy Commissioner Williams 2. Warden Barrett 3. Ms. Christy Vincent, ADOC PREA Director 4. Ms. Tamara Jackson, ADOC grievance appeal manager 5. Anne Hill, ADOC General Counsel and supervisor for Ms. Jackson 6. Captain McClain 7. Lt. Young 8. Lt. Coleman 9. Warden I Wright 10. Staff focus groups 11. Inmate focus groups 12. Shift Commanders Lt. Goodson and Lt. Nelson 13. Dr. Scott Holmes-Tutwiler Psychological Associate 14. ADOC Investigations Director, Mr. Arnaldo Mercado 15. ADOC investigator Ms. Kelley Smith	1. Baseline and compliance tours. Monitor saw the availability of grievances and the locked boxes for confidential deposit of the grievances by inmates. 2. Monitor observed the orientation presentation on the grievance process by Lt. Coleman on 12/03/2015.

October 2015. 9. Tutwiler institutional grievance log that was created and maintained by Lt. Coleman, since initiation of the program 8/31/15. 10. Log of grievance appeals that was created and maintained by Ms. Tamara Jackson since initiation of the process. She has received 32 appeals at time of her interview during compliance visit.		

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16
☐ Substantial Compliance ☒ Partial Compliance ☐ Non-compliance ☐ n/a no assessment due until _____	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate the steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC and Tutwiler shall continue to develop and submit policies for an Inmate Grievance system by August 28, 2915 and implement said policy by September 28, 2015.
2. The policy will clearly prohibit retaliatory practices by staff against inmates who file a grievance.
3. Policy should include requirements in III. I. 6. II-ix
4. This grievance policy shall include procedures for inmate to file an emergency grievance, consistent with III. A. 6., where an inmate is subject to a substantial risk of imminent sexual or physical abuse
5. Inmates will receive education on the grievance system during orientation. Inmates will receive quarterly education every quarter from December 2015-September 2016. Inmates must attend one of these future sessions
6. Grievance forms are available on all units
7. ADOC and Tutwiler will give inmates assistance if they are LEP, visually impaired, or have a mental illness or disabilities.
8. Inmates are not required to submit a grievance, alleging sexual abuse and sexual harassment or any other verbal/ physical staff abuse, to the employee(s) named in the complaint
9. Inmates are not required to file an informal grievance or in any way attempt to resolve a PREA allegations or any verbal/ physical by staff
10. The final decision by Tutwiler on the merits of a PREA issues or alleged staff verbal/ physical abuse grievance will be issued by 30 days from date of initial filing. There is an option for a 30 day extension which can be approved, and documented by the facility designee.
11. Emergency grievances: ADOC and Tutwiler shall:
a. Immediately forward the grievance to a level of review at which immediate corrective action can occur
b. Provide an initial response within 48 hours and issue a final decision within 5 calendar days
c. The initial response and the final agency response documents ADOC / and or Tutwiler's determination whether the inmate is in imminent sexual or physical abuse and the action taken in response to the emergency grievance

_____

1. ADOC 454 and Tutwiler SOP 8-12 (revised)
2. ADOC AR- 319; Inmate Grievance Procedures are not published currently
3. Tutwiler SOP 8-22; Inmate Grievance Procedures. It was published on August 26, 2015 per this provision. ADOC could not have Monitor review this policy before it was issued as there was not a Monitor contract in place until mid-September. Monitor reviewed the published policy and submitted comments, to include a recommendation for review by the Moss Group. Tutwiler is currently operating under SOP 8-22, but it is currently under Moss Group review.
4. Tutwiler inmates assigned received a two hour orientation/ training in grievance procedures during the week of July 20-24, 2015. All new inmates started receiving the Grievance procedure information on July 27, 2015.
5. Lt. Brian Coleman was appointed Tutwiler Grievance Coordinator by Warden Barrett. The actual grievance process was implemented on August 31, 2015, per this provision. Grievance forms are available throughout the institution, as observed by the Monitor on both visits. Monitor also observed the locked boxes for

the inmate to deposit their grievance confidentially. Lt. Coleman has the only staff key for opening these boxes. If he is unavailable at work for any period of time, the key would be given to Lt. Young and she would collect the grievances and continue the process.

6. Tutwiler has scheduled the required quarterly Offender Education sessions for December 2015 and March, June and September 2016
7. All Tutwiler staff received grievance training the week of August 20-26, 2015, as required. Annual in-service training will begin in 2016
8. During the compliance tour, the provision requiring assistance for LEP, disabled, visually impaired or inmates with mental impairment was discussed by Monitor and Tutwiler staff. It was agreed that Dr. Scott Holmes, Psychological Associate and Master Trainer, will be the contact staff member to provide these services.
9. Inmates are NOT required to submit a grievance regarding sexual abuse/ harassment or staff verbal/ physical abuse, to the employee who is subject of the complaint. Inmates are not required to use any informal grievance process or otherwise attempt to resolve these kinds of complaints with Tutwiler employees. If the complaint is about Lt. Coleman, he will turn it over to the Warden and Lt. Young for further action. SOP 8-22 contains these provisions
10. Tutwiler complies with the 30 day schedule of resolving grievances, unless an extension has been approved by the Warden, in their operations. Monitor observed the log that was developed and maintained by Lt. Coleman that tracks each grievance in detail, to include dates for submission and resolution
11. SOP 8-22 has required provision for the stated requirements for Emergency Grievances. Monitor read ALL grievances submitted in September and October 2015 and noted several marked as "emergency". Lt. Coleman made the timely assessment and response required, even though the grievances marked were not indicating imminent or potential danger of sexual or physical abuse. Emergency grievances were discussed at length in the interview with Lt. Coleman and the Warden during the compliance visit. Lt. Coleman received a total of 270 grievances as of November 1, 2015. 99 of those grievances were marked as "Emergency" by the inmate, however only 1 was an emergency grievance as delineated by SOP 8-22.
12. Also the Monitor discussed emergency grievances with Ms. Tamara Jackson, ADOC Grievance Coordinator. The Monitor reviewed Ms. Jackson's log of 32 appeals she had received from Tutwiler. She had not received an appeal, or a grievance marked emergency. We discussed proper procedures if one was sent to her by a third party or mailed by an inmate. Ms. Jackson understood her role and currently visits Tutwiler to gather more information on a grievance appeal before making her decision.
13. Monitor discussed the grievance system in all the staff focus groups and the inmate focus group. The staff were totally aware of their responsibilities, several had grievances filed against them and had a professional approach to the process. The inmates were knowledgeable about how to file grievances, Lt. Coleman's role, and appeals. The inmates still have their "trust" of the system in an infancy stage (as Monitor would expect). They understood how to appeal and knew who Ms. Tamara Jackson was and she had visited Tutwiler several times to meet with inmates.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

1. ADOC 454 and Tutwiler SOP 8-12 and Tutwiler SOP 8-22 contains this provision.
2. ADOC 319 will address Inmate Grievance Procedures. Tutwiler SOP 8-22 was cross-walked with AR 319 and is the current grievance policy for Tutwiler.
3. All currently assigned Inmates received training in July 2015, staff was trained in August 2015.
4. Grievance system was initiated on August 31, 2015. New admission inmates receive the Grievance training in weekly orientation session, conducted by Lt. Coleman. A schedule for the required quarterly reviews is in place.
5. The inmates who are LEP will be referred to Lt. Young, who will secure the services of a qualified interpreter. The inmates who have a mental illness or disabilities will be referred to Dr. Scott Holmes, or if he is unavailable, the MHM site administrator, to receive appropriate assistance in filing grievance. Lt. Coleman and Lt. Young will consult on these inmates as soon as they are identified and will ensure that the inmate receives services per the requirement.
6. During the Monitor interview with Lt. Coleman and Tutwiler staff it was decided that if Lt. Coleman opens a grievance and it involves any PREA allegation or staff verbal/physical abuse, he will contact Lt. Young to sit with him in the initial review of the grievance. Lt. Young will take the investigation process over if the inmate confirms it is their grievance and it involves a PREA allegation.
7. Tutwiler adheres to the required schedule of 30 days resolution, from receipt, of a grievance unless an extension has been granted and documented.
8. SOP 8-22 contains required process for emergency grievances.
9. Staff and inmate focus groups were all aware of the grievance procedures.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Tutwiler should include the role of Dr. Holmes in 8-22 and also the suggestions to involve Lt. Young at the beginning if the grievance has any PREA or staff verbal/physical abuse allegations.	1. Immediately
2. During the orientation, Monitor recommends Lt. Coleman have copies of all grievance and appeal forms for all inmates to see during his session. He needs to balance his presentation with discussion with the Inmates and not just use lecture style/power point, with time for questions all along.	2. Immediately
3. The grievance should be printed with multiple copies that can be distributed (torn off) to the inmate, upon appeal and final resolution.	3. May, 2016
4. Monitor shares a concern voiced by Ms. Jackson about the volume of her grievance responsibility when all facilities are involved. She is the EEO officer for ADOC. Review is needed immediately.	4. Immediately
5. ADOC needs to submit any suggested revisions by the Moss Group to SOP 8-22 and also their response to comments offered by Monitor and DOJ to SOP 8-22.	5. April, 2016 or sooner
6. ADOC will track the grievance process in its entirety (filing to final resolution) and will be required to start reporting this data in May 2016. There should be formal tracking, aside from the spreadsheet maintained by Lt. Coleman.	6. Immediately
7. ADOC is in process of revising AR 319-Grievance Policy. The current Tutwiler SOP 22 is under revision for expert external review and in light of comments made by the monitor and DOJ. The monitor believes that a strong grievance system is a critical component of having a routine access for inmates to report ANY type of allegation, including PREA violations. ADOC needs the completed and published AR 319 and Tutwiler SOP 8-22 to be in full material compliance with this provision. The monitor notes a functioning grievance system presently that is being used by inmates but believes the revisions will provide a more robust system per the requirements in the settlement. Monitor and DOJ will review the revised AR 319 and SOP 8-22.	7. As soon as possible

REPORTING ALLEGATIONS OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.I In order to adequately identify and respond to all instances of sexual abuse and sexual harassment at Tutwiler, ADOC and Tutwiler shall ensure that inmates, staff, and third-parties have multiple unimpeded methods to report incidents of sexual abuse and sexual harassment free from retaliation.				
	Policy		Develop Policy	Implement Policy
7.ADOC and Tutwiler shall require all employees to report immediately: Any knowledge, suspicion, or information regarding an incident or alleged incident of sexual abuse or sexual harassment that occurred in Tutwiler, in transport vehicles, or in any off-site facilities under the control and supervision of ADOC or Tutwiler; Retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation. 8.Apart from reporting to designated supervisors or officials, staff shall not reveal any information related to a sexual abuse or sexual harassment report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. 9.ADOC and Tutwiler shall report all allegations of sexual abuse and sexual harassment, including third party reports, anonymous reports, and inmate grievances, to Tutwiler's or ADOC's designated investigator	III.I.7 III.I.8 III.I.9		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Employees are required to report immediately: 1. Any knowledge, suspicion, or information regarding an incident or alleged incident of sexual abuse or sexual harassment that occurred in Tutwiler, in transport vehicles, or in any off-site facilities under the control and supervision of ADOC or Tutwiler;	Y N N/A	Y N N/A	Y N N/A
2. Retaliation against inmates or staff who reported such an incident; and	Y N N/A	Y N N/A	Y N N/A
3. Any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.	Y N N/A	Y N N/A	Y N N/A
Staff do not reveal any information related to a sexual abuse or sexual harassment report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions, apart from reporting to designated supervisors or officials.	Y N N/A	Y N N/A	Y N N/A
ADOC and Tutwiler report all allegations of sexual abuse and sexual harassment, including third party reports, anonymous reports, and inmate grievances, to Tutwiler's or ADOC's designated investigator	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
EMPLOYEES are required to report immediately... a. Review of AR 454 and revised SOP 8-12 to address allegations occurring in transport or at off site facilities under control of ADOC and Tutwiler b. Logs, reports used to document staff reporting of allegations related to this requirement. Examples of these documents can be mailed and all reviewed on site during compliance visit c. Interviews with Dr. Williams, Warden, Capt. McClain, Lt. Young, Lt. Coleman, Tutwiler transportation supervisor (Sergeant, Lt or captain), DOC Director of Internal Investigations d. Review of investigations completed since November 2015 until compliance visit in 2016. Review of documentation of "unfounded allegations " after an investigation e. Staff and inmate focus groups STAFF do not reveal any information related to sexual abuse/ sexual harassment report... a. Reports of any staff member violating this confidentiality provision b. Interviews with Warden, Capt. McClain, Lt. Young, DOC PREA Coordinator and director of Internal Affairs ADOC and Tutwiler report all allegations.....to Tutwiler's investigators a. Interviews with Warden, Capt. McClain, Lt. Young, b. SOP for reporting and documentation used to reflect reported allegations-monthly reports, PREA reports

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised Tutwiler SOP 8-12. 3. Revisions to grievance policy, if made. 4. Inmate orientation, if revised. 5. Documentation kept by Tutwiler PREA Coordinator for report to I + I regarding allegations of sexual abuse and harassment. 6. Documentation of any employee violations of this set of requirements.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Lt. Coleman 6. Ms. Christy Vincent, ADOC PREA Director 7. Ms. Tamara Jackson, ADOC Grievance Coordinator 8. Staff focus group 9. Inmate focus group	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.I.7, III.I.8, and III.I.9. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE:1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. ADOC 454 and Tutwiler SOP 8-12 contain all portions for these requirements, except two specific requirements. Namely, I. 7 adds " in transport vehicles " , which is being added in the review/ revision of SOP 8-12 by the Moss Group.
2. The current review and revision of 8-12 will also address the requirement to address the reporting responsibilities for staff at any " off site facilities under the control and supervision of ADOC or Tutwiler".

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. Review of the revised Tutwiler SOP 8-12 to contain the required reporting functions
2. Review any additional staff training or updates administered after the revisions to SOP 8-12
3. Monitor will interview selected staff to verify compliance during next visit.
4. Monitor will conduct staff focus groups on next compliance visit.
5. Monitor will review any documentation regarding the implementation of these requirements at the " off site facilities under the control and supervision by ADOC or Tutwiler"

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Train staff as needed at Tutwiler and other off-site facilities under the supervision of ADOC or Tutwiler.	1. As required

REPORTING ALLEGATIONS OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.I In order to adequately identify and respond to all instances of sexual abuse and sexual harassment at Tutwiler, ADOC and Tutwiler shall ensure that inmates, staff, and third-parties have multiple unimpeded methods to report incidents of sexual abuse and sexual harassment free from retaliation.				
	Policy		Develop Policy	Implement Policy
10.Protecting Inmates and Staff from Retaliation: i.**Consistent with ADOC policies**, ADOC and Tutwiler shall protect all inmates and staff who report allegations of sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and shall designate Tutwiler's PREA Compliance Manager with monitoring allegations of retaliation concerning inmates. Allegations of retaliation against employees will be investigated and processed in accordance with ADOC personnel policy. *(III.I.10 1-v listed below)*	III.I.10		May 28, 2015 *AND* February 28, 2016	May 28, 2015 *AND* February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Inmates and staff who report allegations of sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations are protected from retaliation by other inmates or staff. *[May 28, 2015]*	Y N N/A	Y N N/A	Y N N/A
Tutwiler's PREA Compliance Manager monitors allegations of retaliation concerning inmates. *[May 28, 2015]*	Y N N/A	Y N N/A	Y N N/A
Allegations of retaliation against employees are investigated and processed in accordance with ADOC personnel policy. *[May 28, 2015]*	Y N N/A	Y N N/A	Y N N/A
----------*[provisions below due February 28, 2016]*---------- ADOC and Tutwiler use multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.	Y N N/A	Y N N/A	Y N N/A
ADOC and Tutwiler ensure that any Tutwiler staff who is alleged to have engaged in sexual abuse or sexual harassment are immediately removed from positions of inmate contact at Tutwiler until an investigation is concluded.	Y N N/A	Y N N/A	Y N N/A

ADOC and Tutwiler monitor all inmates and staff who report sexual abuse or sexual harassment and inmates who have been reported to have suffered or cooperated with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff for at least 90 days following a report of sexual abuse or sexual harassment, to see if there are changes that may suggest possible retaliation by inmates or staff, including inmate disciplinary reports, housing or program changes, and negative performance reviews or reassignments, and shall act promptly to remedy any such retaliation.	Y N N/A	Y N N/A	Y N N/A
-such monitoring is continued beyond 90 days if the initial monitoring indicates a continuing need.	Y N N/A	Y N N/A	Y N N/A
-monitoring also includes periodic status checks for inmates	Y N N/A	Y N N/A	Y N N/A
ADOC and Tutwiler take appropriate measures to protect from retaliation any other individual who cooperates with an investigation and expresses a fear of retaliation.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

i, v Protecting inmates and staff from retaliation: Consistent with ADOC policies, ADOC and Tutwiler shall protect all inmates and staff who report allegations of sexual abuse or sexual harassment or cooperate with...investigations from retaliation by other inmates and staff and designate Tutwiler's PREA compliance manager with monitoring allegations of retaliation concerning inmates. Allegations of retaliation against employees will be investigated and process in accordance with ADOC personnel policy

A. Policy/SOP regarding retaliation protection for staff and inmates
B. Documents that have been investigated by ADOC and/or Tutwiler PREA Compliance Coordinators regarding retaliation.
C. Monitoring tool used by Tutwiler's PREA manager to document allegations.
D. Copies or review investigations that are completed or in process for retaliation allegations.
E. Interviews with Dr. Williams, Warden Barrett, Capt. McClain, Lt. Young, Lt. Coleman, DOC Internal Affairs director, staff and inmate focus groups, DOC PREA manager
F. Discussion with Dr. Williams about ADOC methods of multiple protection measures for inmates and staff- reassignment etc.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454. 2. Tutwiler DOP 8-12 (under revision). 3. Tutwiler SOP 15-44 Institutional PREA Compliance manager responsibilities. 4. Training records for Tutwiler staff and overtime staff assigned to work there. 5. Review of Tutwiler grievances from September-November 10, 2015. 6. Review of Grievance appeals submitted to Ms. Tamara Jackson-ADOC Grievance Coordinator. 7. PREA information posters located in multiple places. 8. Review of alleged PREA violations in Tutwiler Incident Reports-ADOC 302-A.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Ms. Christy Vincent-ADOC PREA Director 6. Lt. Coleman 7. Mr. Arnaldo Mercado -Director of ADOC Investigations Division 8. Ms. Kelley Smith-ADOC investigator (assigned to Tutwiler, among other places) 9. Staff focus groups 10. Inmate focus group	1. Baseline and Compliance tours. Monitor observed PREA informational posters located throughout facility and annex. Toll free PREA hotline phones observed in housing areas.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☒ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirement (summary)
1. ADOC and Tutwiler shall protect inmates who report allegations of sexual abuse and sexual harassment or cooperate with investigations from retaliation by staff or inmates - May 28, 2015
2. Tutwiler's PREA Compliance manager monitors allegations of retaliation concerning inmates-May 28, 2015
3. Allegations of retaliation against employees are investigated and processed according to ADOC personnel policies. May 28, 2015

***requirements for February 28, 2016 (summary)

a. ADOC and Tutwiler will use multiple protection measures (housing changes, transfer, removal of staff or inmates abusers from victim contact) and emotional support services for inmates or staff who fear retaliation
b. ADOC and Tutwiler ensure that any Tutwiler staff who is alleged to have engaged in sexual abuse or sexual harassment are immediately removed from positions of inmate contact at Tutwiler until investigation is concluded
c. ADOC and Tutwiler will monitor all inmates and staff who report sexual abuse or harassment and inmates who report to have suffered retaliation for at least 90 days after a report of sexual abuse or harassment: looking for changes that that may suggest retaliation by inmates or staff (disciplinary reports, housing or program changes) and shall act promptly to remedy any such retaliation
**monitoring continues beyond 90 days if initial monitoring indicates a need to continue the monitoring. It also will include periodic status checks on inmates

_____
1. The revised ADOC 454 and Tutwiler SOP 8-12 will contain all of the requirements for III. I. 10. i . by February 28, 2016.
2. SOP 8-12 will contain 10. ii and iii in revised version. Also a few sentences in 10. iv will be added

3. The monitor discussed PREA with the inmate focus group. The inmates were encouraged to discuss any issues, lack of understanding, confusion or problems with Tutwiler procedures. Specifically, the monitor discussed the inmate's knowledge of what the PREA issues are, how to report, investigations, and the role of the IPCM. The monitor's questions did not the issue of retaliation directly. The inmates did not raise any concern or issue with retaliation in the comments and discussion that occurred. 4. Monitor reviewed grievances from September and October 2015 and there were no claims of retaliation. Reviewing the entire log maintained by Lt. Coleman did not reveal a grievance filed regarding retaliation. 5. Monitor interviewed Warden Barrett, Captain McClain and Lt. Young from Tutwiler and none of them had received or knew of an allegation of retaliation pursuant to these provisions. Lt. Young understands her responsibilities as IPCM regarding tracking inmates who make allegations of sexual abuse or sexual harassment and to monitor them. 6. Lt. Young will use a form, ADOC -E, called PREA, Sexual abuse Retaliation. Monitor reviewed this form and found it adequate to currently track the requirements in this provision. It is Two pages: 1) it documents basic information about the allegation 2) it provides weekly tracking boxes for the required areas for monitoring (housing, programming, disciplinary charges) 3) it indicates if the monitoring period is the first required 90 days or an extension of that monitoring, as required.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits. 1. Tutwiler revised SOP 8-12 will contain all the requirements for 10. i. 2. Staff will receive the revised PREA training curriculum in January 2016. 3. Inmate focus group did not discuss any issues related to retaliation. 4. ADOC form 454-D. PREA Sexual Abuse / Harassment Retaliation Monitoring Checklist is a thorough form and includes all requirements for tracking/monitoring in this provision.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Lt. Young submit her documents, logs, ADOC form – 454-D, she will use to track inmates who make PREA allegations for possible retaliation to the monitor for review if an incident of retaliation is reported.	1. March, 2016

OFFICIAL RESPONSE TO AN ALLEGATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.J ADOC and Tutwiler shall ensure that all alleged victims of sexual abuse and sexual harassment are offered timely, unimpeded access to medical treatment and crisis intervention services as appropriate and that staff appropriately respond to and counsel the alleged victim while taking steps to preserve evidence.				
	Policy		Develop Policy	Implement Policy
1.When ADOC or Tutwiler learns that an inmate may be subject to a substantial risk of imminent sexual abuse, ADOC or Tutwiler shall take immediate action to protect the inmate.	III.J.1		February 28, 2016	February 28, 2016
REQUIREMENTS	Policy Developed	Staff Trained		Policy Implemented
Immediate action is taken immediate to protect an inmate when ADOC or Tutwiler learns that the inmate may subject to a substantial risk of imminent sexual abuse.	Y N N/A	Y N N/A		Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
ADOC and Tutwiler...shall take immediate action to protect an inmate... a. Review SOP 8-12 for inclusion of this requirement b. Documentation of any inmate identified and managed under this provision. Review of all actions taken initially in regard to said inmates c. Interviews with Warden, Capt. McClain, Lt. Young, and the MHM Site Administrator d. Staff and inmate focus groups

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised Tutwiler SOP 8-12. 3. Any MHM or Corizon written protocols for their Tutwiler staff responses, interventions for inmates subject to this requirement. 4. Documentation of any specialized training via this requirement at Tutwiler. 5. Any written reports made at Tutwiler, and submitted to Lt. Young, Warden Barrett, Lt. Coleman/others, of management responses to an Inmate that is subject to substantial risk of imminent abuse at Tutwiler.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. MHM Site Administrator at Tutwiler 6. Acting Corizon Director of Nursing at Tutwiler ** The MHM site administrator and the Corizon site administrator are designated as crisis intervention/medical services managers for inmates subject to this requirement. The Corizon site administrator is currently on leave. 7. Staff focus group 8. Inmate focus group 9. Grievances filed at Tutwiler since December 1, 2015.	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

DATE: 2/15/16	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE:1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits
1. ADOC 454 and Tutwiler SOP 8-12
2. The revised SOP 8-12 will include the specific requirement for " immediate action is taken to protect an inmate when ADOC or Tutwiler learns than an inmate may be subject to a substantial risk of imminent sexual abuse."
3. Tutwiler staff have been trained to report incidences that are in this requirement. The revised PREA curriculum will have specific training for protocols for this provision.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted 3) baseline and compliance visits

1. Review of the revised Tutwiler SOP 8-12.
2. Interviews with selected Tutwiler staff regarding this requirement, to include the MHM Site Administrator, and the Corizon Site Administrator at Tutwiler. They are responsible for crisis intervention services for inmates.
3. Documentation regarding any additional staff training developed relative to requirements in this provision.

NOTE: monitor was informed by Deputy Commissioner a Williams that neither ADOC or Tutwiler have been informed of any inmate who may be at substantial risk of imminent sexual abuse since the effective date of the agreement, May 28, 2015.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. The monitor requests to be notified if Tutwiler takes administrative actions to protect an inmate from any threat of imminent harm. Deputy Commissioner Williams stated that Tutwiler has not had to take this action since the effective date of the agreement, May 28, 2015.	1. As required

OFFICIAL RESPONSE TO AN ALLEGATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.J ADOC and Tutwiler shall ensure that all alleged victims of sexual abuse and sexual harassment are offered timely, unimpeded access to medical treatment and crisis intervention services as appropriate and that staff appropriately respond to and counsel the alleged victim while taking steps to preserve evidence.				
	Policy		Develop Policy	Implement Policy
2.ADOC and Tutwiler shall **continue to comply** with Policy and Tutwiler Standard Operating Procedures to coordinate actions taken in response to an allegation of sexual abuse, among first staff responders, medical and mental health practitioners, investigators, and Tutwiler leadership, including time frames and lists of whom staff should report to in specific situations and guidelines regarding the collection of physical evidence.	III.J.2		May 28, 2015	May 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Actions are coordinated in response to allegations of sexual abuse among first staff responders, medical and mental health practitioners, investigators, and leadership.	Y N N/A	Y N N/A	Y N N/A
Time frames are provided	Y N N/A	Y N N/A	Y N N/A
Lists of whom staff should report to in specific situations and guidelines regarding the collection of physical evidence are provided.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

DOC and Tutwiler shall continue to comply with policy and Tutwiler SOP to coordinate actions taken in response to allegations of sexual abuse-among first responders, health staff, investigators and leadership-including time frames and lists of whom staff should report to in specific situations and guidelines regarding the collection of physical evidence

A. Policy/SOP for action plan to coordinate actions in response to allegations of sexual abuse
B. Training schedule and records of staff training/orientations for this requirement. Curriculum used, if applicable.
C. Review of incident reports describing this coordinated effort. Any documents the Warden or Dr. Williams have in reacting to any event that occurred and how it was handled.
D. Guidelines/SOP/directives for collections of physical evidence.
E. Incident reports that have occurred regarding collections of any physical evidence for use in sexual abuse allegations/investigations
F. Interviews with Dr. Williams, Warden Barrett, Capt. McClain, Lt. Young, psychologist, medical , shift captains, Tutwiler investigator, Internal Affairs director, DOC PREA manager

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454 and Tutwiler SOP 8-12 (under revision). 2. PREA logs maintained at Tutwiler in mental health and medical NET form (nursing encounter tool). 3. Risk assessment classification checklist.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Ms. Christy Vincent, ADOC PREA Director 6. Associate Commissioner Ruth Naglich, Health Services 7. Ms. Lynn Brown, ADOC Health Region Manager 8. Dr. David Tytell, ADOC Chief Psychologist 9. MHM Site Administrator, at Tutwiler 10. Dr. Scott Holmes, Tutwiler Psychological Associate 11. Staff training record for PREA 12. Mr. Arnaldo Mercado, Director of the ADOC Investigations unit	1. Baseline tour of all health care areas at Tutwiler and informal discussions with health care staff. Monitor observed PREA information distributed throughout the facility and toll free hotline phones.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC and Tutwiler will continue to coordinate actions in response to allegations of sexual abuse and sexual harassment, among first staff responders, medical and mental health staff, investigators and leadership
2. Time frames and lists of whom staff should report to in specific situations and guidelines regarding the collection of physical evidence are provided

_____

1. ADOC 454 and Tutwiler SOP 8-12 (revised) outline these provisions. These practices have been in place since February 2014 and remain currently in practice.
2. Monitor reviewed a PREA log maintained in Tutwiler mental health.
3. Tutwiler medical staff (Corizon) use the NET tool-nursing encounter form -to document their involvement in any PREA case. Monitor has form
4. Monitor discussed the health care protocols for a response to a PREA allegation at Tutwiler with Associate Commissioner Naglich and regional ADOC manager

Ms. Lynn Brown. They both indicated that their staff have received PREA training, are aware of the role of Lt. Young, IPCM, at Tutwiler and how their staff interface with her and the in any PREA allegation/ investigation. Interview with Dr. Gams in the health care section at Tutwiler during baseline visit indicated his awareness of health care role in PREA-

5. The Tutwiler MHM Site Administrator for mental health is aware of the responsibilities of her section to provide supportive services, intervention and evaluation services once a PREA allegation has been made.

6. The Tutwiler classification Risk Assessment checklist, administered during intake, requires follow up by health care staff if an inmate responds affirmatively to any of the risk factors for being a possible victim or predator. This is an excellent early review, prior to an allegation being made, for health care staff of what the issues are in PREA

7. Interviews with staff focus groups demonstrated routine interface with health care providers and a general understanding of the health care role regarding allegations.

8. The revised PREA training curriculum for staff includes detailed discussion of this provision and allows for Tutwiler staff to discuss and ask questions about specific procedures at Tutwiler

9. Information regarding initial evidence collection is included in PREA training.

10. Warden Barrett meets daily with his executive management team, that includes all Wardens, Captain McClain and Lt. Young. He has a monthly facility management meeting. In his interview, the Warden described how he uses these meetings to discuss PREA protocols or current events occurring in the facility regarding the settlement agreement operational requirements.

11. Monitor has reviewed documents that are used to train staff in health care PREA related standards, establish a protocol with a community provider for a SANE examination, and a PREA checklist for health care staff. Documents provided by Associate Commissioner Naglich and Ms. Lynn Brown.

a. Ms. Brown, ADOC region manager, provided a "PREA Quick Reference" guide for health care definitions and protocols for staff at Tutwiler.

b. Monitor reviewed a copy of the PREA NET (nursing encounter tool) form, used by nursing staff to document an PREA medical intervention.

c. Monitor reviewed the Corizon "New Employee Orientation Part II-Clinical." It is an abbreviated PREA training, specifically referencing standards that apply to health care staff responsibilities. Tutwiler health care staff all participates in the required full PREA training at the facility.

d. Monitor reviewed a protocol developed by the community group, STAR (Standing Together Against Rape) in Montgomery. It gives instructions for scheduling a forensic examination, required by PREA if necessary, by a SANE (sexual assault nurse examiner) trained nurse in the community. It gives instructions regarding the preservation of possible evidence and other directives for Tutwiler responding staff.

e. Monitor reviewed a copy of the "Combined PREA Log" used by health staff at Tutwiler to document specific tests, dates administered and evaluation dates.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

1. ADOC 454 and Tutwiler SOP 8-12 contain these provisions since February 2014.

2. Interviews with ADOC health care management, the Corizon management and staff at Tutwiler, the MHM site management at Tutwiler, and Dr. Holmes confirm their understanding, and training, in responding to an allegation of sexual abuse at Tutwiler.

3. PREA posters are in the health care areas of the institution

4. Warden Barrett has routine daily meetings with executive staff, monthly facility management meetings where issues regarding the operational responsibilities of this provision and other PREA related protocols are discussed

5. Ms. Lynn Brown, ADOC Regional Manager, frequently visits medical staff at Tutwiler. She reviews charts, answers questions and gives directions necessary for the staff to be responsive in their roles at Tutwiler. Ms. Brown is very diligent about the PREA responsibilities and has an excellent relationship with Warden Barrett and the management staff at Tutwiler.

6. Monitor has reviewed documents that are used to train staff in health care PREA related standards, establish a protocol with a community provider for a SANE examination, and a PREA checklist for health care staff. Documents provided by Associate Commissioner Naglich and Ms. Lynn Brown.

a. Ms. Brown, ADOC region manager, provided a "PREA Quick Reference" guide for health care definitions and protocols for staff at Tutwiler.

b. Monitor reviewed a copy of the PREA NET (nursing encounter tool) form, used by nursing staff to document an PREA medical intervention.

c. Monitor reviewed the Corizon "New Employee Orientation Part II-Clinical." It is an abbreviated PREA training, specifically referencing standards that apply to health care staff responsibilities. Tutwiler health care staff all participates in the required full PREA training at the facility.

d. Monitor reviewed a protocol developed by the community group, STAR (Standing Together Against Rape) in Montgomery. It gives instructions for scheduling a forensic examination, required by PREA if necessary, by a SANE (sexual assault nurse examiner) trained nurse in the community. It gives instructions regarding the preservation of possible evidence and other directives for Tutwiler responding staff.

e. Monitor reviewed a copy of the "Combined PREA Log" used by health staff at Tutwiler to document specific tests, dates administered and evaluation dates.

7. The monitor reviewed 5 completed PREA investigations by the ADOC Division of Investigations and Intelligence. The monitor selected these after reviewing the I+I spreadsheet documenting their PREA investigations at Tutwiler. Monitor selected one to review in detail with Director Mercodo and investigator Kellie Smith. This investigation included allegations made in the medical health area. The monitor observed a thorough investigation by Ms. smith that involved interviews with several health care staff and review of documents. Monitor agreed with the "non-substantiated " conclusion reached by I+I.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Tutwiler hold an interdisciplinary meeting every four months, of all relevant disciplines named in this provision, to review and develop the coordinated response to an allegation. It's important for these disciplines to communicate, and not when there is a crisis, about the protocols and forms they will all use.	1. 3/1/2016
2. Tutwiler Warden meet routinely with all NEW health care staff hired at Tutwiler, to introduce them to his expectations regarding their role and Warden should document these meetings to his file. Date- Immediately.	2. Immediately
3. ADOC Associate Commissioner Naglich should ensure that all new health care staff at Tutwiler are receiving timely PREA training and knowledge specifically about the management of physical evidence. Documentation should be maintained.	3. 4/1/2016
4. Tutwiler medical and mental health staff should hold scheduled staff meetings that reviews their PREA responsibilities, and other related topics. These meetings should be documented, with the Warden receiving a copy. Medical and mental health managers meeting jointly together at least every four months, starting April 1, 2016, will only increase their understanding of each other's roles- new forms. Monitor believes quarterly meetings are sufficient, based on their experience, to have substantive exchange of information.	4. 4/1/2016

OFFICIAL RESPONSE TO AN ALLEGATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.J ADOC and Tutwiler shall ensure that all alleged victims of sexual abuse and sexual harassment are offered timely, unimpeded access to medical treatment and crisis intervention services as appropriate and that staff appropriately respond to and counsel the alleged victim while taking steps to preserve evidence.				
	Policy		Develop Policy	Implement Policy
3.ADOC and Tutwiler shall respond to reports of sexual abuse and sexual harassment or threats of sexual abuse or sexual harassment without regard to an inmate's known or perceived sexual orientation or gender identity. 6.ADOC and Tutwiler shall not place in protective custody an inmate who is alleged to have suffered sexual abuse or sexual harassment solely for the purpose of protecting that inmate, unless a determination, documented in writing and reviewed by the PREA Compliance Manager or the Warden's designee within 24 hours, has been made that there is no available alternative means of separation from likely abusers.	III.J.3 III.J.6		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
ADOC and Tutwiler respond to reports of sexual abuse and sexual harassment or threats of sexual abuse or sexual harassment without regard to an inmate's known or perceived sexual orientation or gender identity.	Y **N** N/A	Y **N** N/A	Y **N** N/A
Inmates who are alleged to have suffered sexual abuse or sexual harassment are not placed in protective custody solely for the purpose of protecting that inmate, unless:	**Y** N N/A	**Y** N N/A	**Y** N N/A
1. a determination that there is no available alternative means of separation from likely abusers is documented in writing, and	Y **N** N/A	Y **N** N/A	Y **N** N/A
2. the determination is reviewed by the PREA Compliance Manager or the Warden's designee within 24 hours.	Y **N** N/A	Y **N** N/A	Y **N** N/A

MONITOR'S MEASURES OF COMPLIANCE
ADOC and Tutwiler respond to reports of sexual Abuse and sexual harassment....without regard to an inmates' known or perceived sexual orientation or gender identity a. Review of revised SOP 8-12. b. Review of inmate or third party reports / investigations since Nov. 2015-compliance visit 2016 c. Interviews with Warden, McClain, Young, Lt. Coleman, and DOC PREA Director d. Inmate focus group Inmates who are alleged to have suffered sexual abuse or sexual harassment are not placed in protective custody solely for the purpose of protecting the inmate, unless... a. Review of SOP used since Nov. 2015 to respond to this requirement. b. Review of proposed plans, logs etc. being developed by May 2016 for documenting use of involuntary segregation because a risk of sexual victimization for a period longer than 24 hours c. Review of segregation logs and reasons for placement since November 2015-compliance visit-on site d. Interviews with Dr. Williams, Warden, McClain, Young, Coleman, DOC PREA, DOC grievance appeal authority, e. Review of any emails or memos issued by Warden to address placement or detainment of an inmate on protective status due to risk for sexual victimization f. Inmate focus group

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised Tutwiler SOP 8-12. 3. Review of protective custody logs for January-May 2016. 4. Review of Tutwiler segregation logs/reason for placement January-May 2016. 5. Review of logs maintained by Lt. Young.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Lt. Coleman 6. MHM Site Administrator 7. Dr. Scott Holmes, Tutwiler Psychological Associate	1. Tour of Tutwiler, to include segregation and mental health unit.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.J.3 and III.J.6. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE:1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. ADOC 454 and Tutwiler SOP 8-12 does NOT currently contain J. 3, 6. The revised Tutwiler SOP 8-12 will include this specific requirement.
2. Review of segregation logs, noting "protective custody" and administrative segregation for "investigative reasons" in the documentation. Logs from March-May 2016. Review logs maintained by Captain Rogers
3. Review of inmate grievances from March-May 2016
4. Review of spreadsheets maintained by Lt. Young to track the use of administrative segregation related to a PREA investigation.
5. Review of Tutwiler documentation created to place an inmate in " protective custody" via this provision.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, 3) baseline and compliance visits

1. Review of revised Tutwiler SOP 8-12
2. Review of documentation, as noted in previous discussion box
3. Inmate and staff focus groups during next compliance visit
4. Monitor asked Deputy Commissioner Williams if there has been an event at Tutwiler that required them to place an inmate into administrative segregation (protective custody, involuntary segregation) since the May 28, 2015 effective date of the agreement. There has NOT been any instance that required the placement of an inmate Into protective custody, per this provision.

NOTE: ADOC has reported, on February 5, 2016, the following PREA allegations that have been reported and investigated at Tutwiler since May 28, 2015:
Inmate on inmate sexual abuse-2(1 pending, 1 substantiated)
Inmate on inmate sexual harassment -6 (5 unsubstantiated,1 unfounded)
Staff on inmate sexual abuse- 6 (4 unsubstantiated, 2 unfounded)
Staff on inmate sexual harassment -3 (2 unsubstantiated, 1 unfounded)

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Train staff in 8-12 revisions as it applies to this provision, if necessary	1. As needed

OFFICIAL RESPONSE TO AN ALLEGATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.J ADOC and Tutwiler shall ensure that all alleged victims of sexual abuse and sexual harassment are offered timely, unimpeded access to medical treatment and crisis intervention services as appropriate and that staff appropriately respond to and counsel the alleged victim while taking steps to preserve evidence.				
	Policy		Develop Policy	Implement Policy
4.The written institutional plan shall include procedures that address how staff respond upon learning of an allegation that an inmate was sexually abused; described below 5. If the first staff responder is not a security staff member, the responder shall be required to request the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.	III.J.4 III.J.5		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
The written institutional plan includes procedures that address how staff respond upon learning of an allegation that an inmate was sexually abused.	Y N N/A	Y N N/A	Y N N/A
The first security staff member to respond to the report is required to: -Separate the alleged victim and abuser;			
-Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; and	Y N N/A	Y N N/A	Y N N/A
-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.	Y N N/A Y N N/A	Y N N/A Y N N/A	Y N N/A Y N N/A
If the first staff responder is not a security staff member, the responder is required to request the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
WRITTEN institutional plan includes procedures that address how staff will respond upon learning of an allegation that an inmate was sexually abused a. Review of SOP and institutional plan to address this requirement. Revised AR 454 and 8-12 b. Interviews with Warden, McClain, Young, Coleman, Site MHM and Health Service administrators, and DOC PREA Director c. Review of completed investigations of allegations reported by inmates during the reporting period-on site agreeable. d.Staff focus group Requirements for first staff member response.. **included in previous group of measures

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised Tutwiler SOP 8-12. 3. Written Tutwiler institutional plan showing how the institution will comply with this requirement.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Shift Commanders	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.J.4 and III.J.5. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE:1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. ADOC 454 and Tutwiler SOP 8-12 both outline these provisions in J. 4,5 and they have been in practice since February 2014. It is noted that both of these PREA policies are under revision and will contain specific requirements and protocols for this provision.
2. Monitor reviewed the Corizon PREA training orientation for new employees. Associate Commissioner Naglich should review and modify this training to include any new or revised information to inform their employees of correct actions to take via this provision.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. Review of Tutwiler revised SOP 8-12.
2. Review of any revised or updated training materials used for Corizon and MHM staff at Tutwiler
3. Review of completed Tutwiler incident reports on a PREA allegation, completed from January -May 2016.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. ADOC Associate Commissioner Naglich should review, and modified as needed, the Corizon training curriculum, to include the revised PREA training curriculum. Work with Corizon and Dr. Williams to identify any revisions. 2. Deputy Commissioner Williams should work with Ms. Vincent to identify ADOC stakeholders that may need to revise any PREA training or protocols as the new gender responsive policies are implemented and updates in training.	1. Implement changes by May 1, 2016 2. Ongoing

OFFICIAL RESPONSE TO AN ALLEGATION OF SEXUAL ABUSE AND SEXUAL HARASSMENT III.J ADOC and Tutwiler shall ensure that all alleged victims of sexual abuse and sexual harassment are offered timely, unimpeded access to medical treatment and crisis intervention services as appropriate and that staff appropriately respond to and counsel the alleged victim while taking steps to preserve evidence.											
	Policy						Develop Policy		Implement Policy		
7.**To the extent they do not already exist**, ADOC and Tutwiler shall develop, submit to the Monitor and DOJ for review consistent with Section III.A.6., and implement policies and procedures to provide access to medical and mental health services to women identified as potential or actual victims of sexual abuse and sexual harassment, that occurred either at Tutwiler or elsewhere, including the following:	III.J.7						May 28, 2015 *AND* February 28, 2016		May 28, 2015 *AND* February 28, 2016		
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented				
Inmate victims of sexual abuse receive timely, unimpeded access to emergency medical and mental health care and treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.	Y	N	N/A	Y	N	N/A	Y	N	N/A		
If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff and first responders take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners	Y	N	N/A	Y	N	N/A	Y	N	N/A		
Tutwiler offers further medical and mental health evaluation and, as appropriate, treatment, to all inmates who have been victimized by sexual abuse and/or sexual harassment in any prison, jail, lockup, or juvenile facility.	Y	N	N/A	Y	N	N/A	Y	N	N/A		
The evaluation and treatment of such victims includes, 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.	Y	N	N/A	Y	N	N/A	Y	N	N/A		
Appropriate mental health counseling and emotional support services are made available to victims of sexual abuse and sexual harassment, provided by a qualified staff member or a victim advocate from a community-based organization that provides services to sexual abuse victims.	Y	N	N/A	Y	N	N/A	Y	N	N/A		
ADOC and Tutwiler shall attempt to enter into and maintain memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse or sexual harassment.	Y	N	N/A	Y	N	N/A	Y	N	N/A		

ADOC and Tutwiler maintain copies of agreements or documentation of attempts.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Inmate victims of sexual abuse or sexual harassment while incarcerated are offered timely information about and timely access to emergency contraception, pregnancy tests, and tests for sexually transmitted infections prophylaxis, where medically appropriate.	Y	N	N/A	Y	N	N/A	Y	N	N/A
If inmate pregnancy results from sexual abuse while incarcerated, such victims receive timely and comprehensive information about and access to all lawful pregnancy-related medical services.	Y	N	N/A	Y	N	N/A	Y	N	N/A
All treatment services in this subsection are 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.	Y	N	N/A	Y	N	N/A	Y	N	N/A

MONITOR'S MEASURES OF COMPLIANCE

To the extent they do not already exist, ADOC and Tutwiler shall develop, submit to Monitor and DOJ for review...shall implement polices and procedures to provide access to medical and mental health services to women identified as potential or actual victims of sexual abuse and sexual harassment, that occurred at Tutwiler or elsewhere...

A. Policy/SOP' s for this requirement and implementation directives from Dr. Williams, central office health managers and Warden
B. SOP's specifically for the mental health and medical departments at Tutwiler regarding their response to this requirement
C. Logs or shift documents since June-Nov. 1 that contain mention of these referrals by shift supervisors
D. Review of inmate medical and mental health records for inmates referred via this requirement.
E. Documentation of any efforts security staff/supervisors took to protect inmate victims when health care staff not available
F. Documentation in health records of any intervention by staff for inmates who report abuse in another facility.
G. Documents created by health staff regarding treatment for any inmates they evaluate/ treat that will show the follow up actions and plans.
H. List of "qualified" staff, via this requirement, that can/ have provided mental health counseling -any documents supporting their qualification -memo from their clinical supervisor verifying their credentials is sufficient
I. Any documents of agreements (memo of understanding) with any community providers that may provide inmates with confidential emotional support services
J. Review of medical record/ documents that inmates victims received to inform them of available services for contraception, pregnancy, sexually transmitted disease tests
K. Medical record review for any inmate who became pregnant due to sexual abuse.
L. Interviews with Dr. Williams, Warden Barrett, Capt. McClain, Lt. Young, on site medical administrator, central office health services manager, DOC PREA Director
M. Site review of records

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of Monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454 and Tutwiler SOP 8-12. 2. Credentials of assigned mental health staff at Tutwiler. 3. Letter and grievance filed by an inmate in the Monitor's inmate focus group. Monitor reviewed the information regarding health status with the Warden and received a briefing from a Corizon manager - this was NOT directly related to PREA but showed the issues of responsiveness, documentation from health care and the Warden's knowledge of this inmate's unusual medical condition.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Ms. Christy Vincent, ADOC PREA Director 6. Associate Commissioner Ruth Naglich, Health Services 7. Ms. Lynn Brown, ADOC Health Region Manager 8. Dr. David Tytell, ADOC Chief Psychologist 9. MHM Site Administrator at Tutwiler 10. Dr. Scott Holmes, Tutwiler Psychological Associate 11. Staff training record for PREA 12. Mr. Arnaldo Mercado, Director of the ADOC Investigations unit	1. Baseline tours of the medical treatment areas and the mental health treatment and office space.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☒ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirements (summary) May 28, 2015 and February 28, 2016
1. ADOC and Tutwiler shall develop (new or revised) policies and procedures regarding access to medical/ mental health services to women identified as potential or actual victims of sexual abuse and sexual harassment, that occurred either at Tutwiler or elsewhere: including
a. Inmate victims of sexual abuse receive unimpeded access to emergency medical and mental health care and treatment /crisis intervention services. If there are no qualified medical/ mental health providers on site at Tutwiler at time of abuse report, immediate steps are taken by Tutwiler shift commanders to protect the inmate and the health care providers on call are contacted ASAP. Tutwiler health care staff will provide these same Evaluations and services, to all inmates who have been victimized by sexual abuse/ harassment at ANY prison, jail, lockup or juvenile facility
b. Evaluations and treatment provided to these victims, include appropriate follow up services/appointments or placement in other facilities or their release from custody
c. Mental health counseling and emotional support for victims are available and provided by qualified staff or a community victim advocate for sexual abuse victims
d. ADOC and Tutwiler shall attempt to enter a written agreement with community providers that are capable of giving confidential support services for victims of sexual abuse and harassment. Documentation maintained of such agreements and attempts to establish them
e. Inmate victims are offered timely information about emergency contraception, pregnancy tests and tests for sexually transmitted diseases, where appropriate
f. In the event of a pregnancy occurring as a result of sexual abuse while incarcerated, inmate will receive information and access to lawful pregnancy services. All services are provided at no cost to the inmate, regardless if the inmate names her abuser or cooperates with an investigation

_____
1. ADOC 454
2. The current (pre-revision)' Tutwiler SOP 8-12 currently includes 4 of the requirements of this provision. In summary, the requirements for inmates to receive

timely, unimpeded access to emergency medical/mental health care, treatment and intervention services; the treatment services include, as appropriate, follow-up services, plans, and referrals for continued care, to include upon transfer to other facilities or release; if a pregnancy occurs as a result of a sexual abuse while incarcerated, the inmates will receive timely and comprehensive information about and access to all lawful pregnancy-related medical services.
3. The additional requirements in this provision will be addressed by ADOC by February 28, 2016
4. Monitor reviewed the credentials of the assigned MHM mental health professional staff at Tutwiler and find them "qualified", in the Monitor' s experience, to provide the required evaluations and emotional support services to sexual abuse and harassment victims
5. Monitor reviewed a mental health PREA log that documented all PREA related referrals. This has been addressed previously. The medical staff use the NET tool to document their PREA response in the inmate medical file
6. Monitor reviewed some inmate medical records for inmates who scored positively on the classification risk assessment checklist. Monitor reviewed several mental health evaluations that were completed via a referral after the initial mental health response on the risk assessment form was completed. These were very adequate responses in the Monitor's experience
7. There have not been any instances where a qualified health care professional was not available on site for intervention and response, as required by this provision
8. Documentation of Tutwiler response to any inmate who makes a PREA allegation after transferring in from another confinement. The Warden and Lt. Young document their responses to the inmate and to the sending facility.
9. During the interview with ADOC General Counsel, Ms. Anne Hill, she indicated that a RFP for a community based service provider for confidential emotional support for inmate victims was in process and expected to be issued by February 1, 2016.

Monitor has reviewed documents that are used to train staff in health care PREA related standards, establish a protocol with a community provider for a SANE examination, and a PREA checklist for health care staff. Documents provided by Associate Commissioner Naglich and Ms. Lynn Brown.
a. Ms. Brown, ADOC region manager, provided a "PREA Quick Reference" guide for health care definitions and protocols for staff at Tutwiler.
b. Monitor reviewed a copy of the PREA NET (nursing encounter tool) form, used by nursing staff to document an PREA medical intervention.
c. Monitor reviewed the Corizon "New Employee Orientation Part II-Clinical." It is an abbreviated PREA training, specifically referencing standards that apply to health care staff responsibilities. Tutwiler health care staff all participates in the required full PREA training at the facility.
d. Monitor reviewed a protocol developed by the community group, STAR (Standing Together Against Rape) in Montgomery. It gives instructions for scheduling a forensic examination, required by PREA if necessary, by a SANE (sexual assault nurse examiner) trained nurse in the community. It gives instructions regarding the preservation of possible evidence and other directives for Tutwiler responding staff.
e. Monitor reviewed a copy of the "Combined PREA Log" used by health staff at Tutwiler to document specific tests, dates administered and evaluation dates.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

1. ADOC 454 and Tutwiler SOP 8-12 contain the compliance requirements, due for implementation in 2015, in this provision. Tutwiler has been operating by them since February 2014.

2. Monitor had interviews with both ADOC health managers, as listed, and health staff managers at Tutwiler. Monitor is satisfied that both medical and mental health managers at Tutwiler are aware and trained in their responsibilities under this provision.

3. Monitor reviewed documents, as listed, that provide documentation of health services responses to inmates who are involved with PREA allegations.

4. Monitor has reviewed documents that are used to train staff in health care PREA related standards, establish a protocol with a community provider for a SANE examination, and a PREA checklist for health care staff. Documents provided by Associate Commissioner Naglich and Ms. Lynn Brown.

a. Ms. Brown, ADOC region manager, provided a "PREA Quick Reference" guide for health care definitions and protocols for staff at Tutwiler.

b. Monitor reviewed a copy of the PREA NET (nursing encounter tool) form, used by nursing staff to document a PREA medical intervention.

c. Monitor reviewed the Corizon "New Employee Orientation Part II-Clinical." It is an abbreviated PREA training, specifically referencing standards that apply to health care staff responsibilities. Tutwiler health care staff all participates in the required full PREA training at the facility.

d. Monitor reviewed a protocol developed by the community group, STAR (Standing Together Against Rape) in Montgomery. It gives instructions for scheduling a forensic examination, required by PREA if necessary, by a SANE (sexual assault nurse examiner) trained nurse in the community. It gives instructions regarding the preservation of possible evidence and other directives for Tutwiler responding staff.

e. Monitor reviewed a copy of the "Combined PREA Log" used by health staff at Tutwiler to document specific tests, dates administered and evaluation dates.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. ADOC and Tutwiler shall complete the 7. iii, v, vi, vii, viii in policy and SOP. Health care staff should review a thorough review of these protocols and their orientation /training should be documented. 2. See recommendations in III. J. 2 for meetings, interdisciplinary meetings. 3. Health care operations at Tutwiler should have written protocols in their work areas to give direction for their specific responsibilities via this requirement.	1. 2/28/2016 2. see III.J.2 3. 2/28/2016

REFERRALS AND INVESTIGATIONS III.K ADOC and Tutwiler shall ensure that all allegations of sexual abuse and sexual harassment are promptly, thoroughly, and objectively investigated and appropriately referred for prosecutorial review, and that alleged victims are advised of the outcome of their allegations.				
	Policy		Develop Policy	Implement Policy
1.ADOC investigators shall **continue to investigate** allegations of sexual abuse or sexual harassment consistent with their authority as criminal investigators and **consistent with Policy** and Alabama law. Completed investigations of sexual abuse and sexual harassment will be referred to local prosecutors as appropriate. 2. When ADOC conducts its own investigations into allegations of sexual abuse or sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third party and anonymous reports. Administrative investigations shall be completed regardless of the results of any criminal investigations and regardless of the subject's continued employment by ADOC	III.K.1 III.K.2		May 28, 2015	May 28, 2015

REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
ADOC investigators investigate allegations of sexual abuse or sexual harassment consistent with their authority.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Completed investigations of sexual abuse and sexual harassment will be referred to local prosecutors as appropriate.	Y	N	N/A	Y	N	N/A	Y	N	N/A
When ADOC conducts its own investigations into allegations of sexual abuse or sexual harassment, it does so promptly, thoroughly, and objectively for all allegations, including third party and anonymous reports.	Y	N	N/A	Y	N	N/A	Y	N	N/A
Administrative investigations are completed regardless of the results of any criminal investigations and regardless of the subject's continued employment by ADOC.	Y	N	N/A	Y	N	N/A	Y	N	N/A

MONITOR'S MEASURES OF COMPLIANCE
ADOC investigators shall continue to investigate allegations of sexual abuse or sexual harassment...consistent with policy and Alabama law. Referrals to local DA if appropriate A. ADOC policy/state law guiding these investigators B. PREA SOP's developed/ created for these investigators and their response. C. List, gender/ race, experience of each DOC investigator used in PREA investigations. D. Training attended/description of training related to PREA investigations any of them have attended-training schedule for them if one exists E. Review copies of any completed investigations they have conducted. Three spread over time Frame of June-Nov. 1 2015. F. Copy/documentation of any referrals to local DA. If not at Tutwiler, three that they have referred due to PREA investigation at other prisons G. Written protocols used regarding time frames used to guide their investigations. H. Interviews with Dr. Williams, Warden Barrett, Capt. McClain, both PREA Coordinators for prison/DOC, internal affairs director, Anne Hill, and Commissioner.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. ADOC AR 454 and Tutwiler SOP 8-12 (under revision) 2. Alabama state law. SB-342, 166368-3 4/07/15 3. Monitor review of five completed PREA allegation investigations, by ADOC Office of Investigations. 15-2545, 3647, 3671, 2220, 2540 4. Monitor conducted a thorough review of a completed PREA investigation by investigator Smith in her interview. 5. ADOC Investigations PREA log for Tutwiler 5/2815-11/18/15--10 investigations completed by this office. 6. Memo to District Attorney from Mr. Arnaldo Mercado (Director of Investigations) that documented ADOC responsibility to report state law violations. Specifically, the "Code of Alabama 1975, Title 14-3-9 -' It shall be the duty of the Investigation and Intelligence Division of the Department of Corrections to refer all violations of the law regarding prisons, correctional facilities, employees, and inmates that may come to its knowledge to the proper district attorney' ". This memo was submitted on July 13, 2015 and documented violations starting 1/04/13- 5/08/15. Tutwiler had 16 entries-	1. Deputy Commissioner Williams 2. ADOC General Counsel, Anne Hill 3. ADOC Commissioner Dunn 4. ADOC Director of Investigations, Mr. Arnaldo Mercado 5. ADOC investigator Ms. Kelley Smith 6. Warden Barrett 7. Captain McClain 8. Lt. Young 9. Inmate focus groups 10. ADOC PREA Director, Ms. Christy Vincent	1. Review of five PREA investigation files during compliance visit. 2. Inmate focus group

11/23/13- 5/08/15. Memo asked the District Attorney to sign receipt and return original to the I+I office. 7. ADOC I+I office PREA logs of allegations made to them for 2015 for Tutwiler. 8. Nine Tutwiler incident reports for PREA allegations/ reports. 6/09/15-10/08/15. 9. ADOC form -E. PREA Sexual Abuse Retaliation Monitoring. It is a very detailed form. 10. ADOC SOP OPR. I and I number 454-PREA Sexual Assault Investigations. 11. ADOC AR 300- Investigations and Intelligence Division. This is basically an operational SOP for conducting all investigations. It was issued July 2004. It includes the distribution list for I+I reports in ADOC. 12. Memo dated 11/18/15 from Director Mercado to the District Attorney, reporting as described in # 6 above, that included 4 incidents at Tutwiler 13. Demographics of the staff in I and I Division. 14. Resume experience for Mr. Mercado, Director of I and I Division. 15. Two letters from Mr. Mercado to different district attorneys, reporting possible criminal misconduct related to PREA violations.		

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.K.1 and III.K.2. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirements (summary)
1. ADOC investigators shall continue to investigate allegations of sexual abuse and sexual harassment consistent with their authority as investigators, policy, and Alabama law
2. ADOC investigators will refer completed PREA investigations to local prosecutors
3. ADOC conducts investigations into allegations of sexual abuse and harassment promptly, thoroughly, and objectively, including third party and anonymous reports
4. ADOC will complete administrative investigations, regardless of the results of any criminal investigation and of the subjects continued employment with ADOC.

_____

1. ADOC 454 and Tutwiler SOP 8-12 have included the K. 1 requirement since February 2014.
2. The requirement K. 2 is in practice at Tutwiler and will be included in the revised SOP 8-12.
3. The ADOC Division of Investigation and Intelligence refers PREA investigations once completed. The referrals are made in reference to Code of Alabama 1975, Title 14-3-9,
" It shall be the duty of the Investigation and Intelligence division of the Department of Correction to refer all violations of the law relating to prisons, correctional facilities, employees and inmates that may come to its knowledge, to the district attorney."

Monitor reviewed letters from ADOC I+I Director Arnaldo Mercado, referring completed PREA cases from Tutwiler to the District Attorney's office. The dates

range from November 23, 2014- May 8, 2015. There were 16 referrals made in that period of time.
4. Monitor reviewed the ADOC PREA investigations log/spreadsheet maintained in I+I. It is used for tracking each case. The monitor selected and reviewed five completed PREA investigations during the compliance visits. Monitor reviewed the entire file on each one. These cases were discussed during the interviews with Director Mercado and investigator Kelley Smith. There were 10 completed Tutwiler investigations. The monitor saw thorough, serious investigative actions in each completed investigation. Monitor concurred with the investigative conclusions
5. In the inmate focus group, monitor asked questions about the credibility of the ADOC investigations. There were only several comments made and they were favorable, specifically about Ms. Smith. The sentiment was that she was fair and thorough.
6. Interview with ADOC General Counsel discussed the independence of the I+I investigations.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits.

1. ADOC 454 and Tutwiler SOP 8-12 have the requirement K. 1 since February 2014. The agency has followed these directives in the Division of Investigations and Intelligence. Monitor reviewed the I+I PREA log/spreadsheet that documented the Tutwiler cases they received and had completed investigations.

2. Monitor reviewed the entire investigative files of five PREA cases while on the compliance visit. The cases, and one in specific, were discussed by Monitor with Director Mercado and investigator Smith. The Monitor was satisfied, by her extensive experience in similar investigations, that the investigations were conducted according to all of the provisions in III. K. 1, 2.

3. Investigator Kelley Smith is the primary Tutwiler investigator. She has received the Gender Responsiveness training at Tutwiler. In the interview, she spoke favorably about her experience during the training. Monitor discussed an investigation in detail that Ms. Smith completed, concerning a health care professional at Tutwiler. She had clear memory of how she conducted the investigation and Monitor felt it was very thorough in view of the multiple health disciplines and protocols that were involved in the case.

4. Monitor reviewed the demographics of the I+I Division in ADOC. It is a diverse group in race and gender, which contributes to the perception of objectivity and enhances the investigations relating to the offender population. Also the investigators and Mr. Mercado have extensive law enforcement experience that qualifies them for these positions, from the Monitor's experience.

5. Documents confirm that completed PREA investigations are referred to prosecutors, as required.

6. ADOC informed the monitor that Director Mercado received a 8 hour block of training, "What You Need to Know: PREA and Creating Safety for Women Offenders" on February 4, 2016. Investigator Kellie Smith, assigned to Tutwiler PREA investigations, has completed both PREA training and Gender Responsive training.

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. The ADOC Director of I+I must receive PREA training immediately. He has been scheduled before but had to cancel. Monitor noted this issue in his interview. NOTE : Monitor was notified that Director Mercado completed a comprehensive 8 hour training course on February 4, 2016.	1. Immediately
2. ADOC needs to develop an official form to be used as a witness statement, interview statement, etc. for inmates and staff for investigative purposes. It is noted that staff subject to criminal charges would follow protocols for statements differently. Monitor discussed this issue in Mr. Mercado's interview and submitted a sample/example of what NC corrections uses in their investigations.	2. ADOC decision
3. ADOC shall document to the monitor any specialized investigators training in institutional sexual abuse and sexual harassment.	3. As occur

REFERRALS AND INVESTIGATIONS

III.K ADOC and Tutwiler shall ensure that all allegations of sexual abuse and sexual harassment are promptly, thoroughly, and objectively investigated and appropriately referred for prosecutorial review, and that alleged victims are advised of the outcome of their allegations.

	Policy		Develop Policy	Implement Policy
4.ADOC and Tutwiler shall develop, submit to the Monitor and DOJ for review consistent with Section III.A.6., and implement guidelines for the immediate initiation of an investigation and/or review upon learning of an allegation of sexual abuse or sexual harassment and develop a process for monitoring those guidelines. The guidelines shall also ensure that investigations that include any allegations of sexual abuse or sexual harassment are properly labeled as such.	III.K.4		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Tutwiler has guidelines for immediately initiating an investigation and/or review upon learning of an allegation of sexual abuse or sexual harassment.	Y N N/A	Y N N/A	Y N N/A
1. Tutwiler has a process for monitoring the guidelines.	Y N N/A	Y N N/A	Y N N/A
2. The guidelines shall also ensure that investigations that include any allegations of sexual abuse or sexual harassment are properly labeled as such	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

ADOC and Tutwiler shall develop, submit to Monitor and DOJ for review...and implement guidelines for immediate initiation of an investigation and /or review upon learning of an allegation of sexual abuse or sexual harassment...develop process for monitoring these guidelines

A. Review of SOP 8-12 and SOP 9-16(IPCM) for inclusion of this requirement
B. Documents reflecting the initiation of a PREA investigation
C. Review the tracking process developed to monitor these guidelines compliance
D. Review PREA investigations to reflect the wording " sexual abuse or sexual harassment"
E. Interviews with Dr. Williams, Warden, McClain, Young, DOC PREA

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Tutwiler revised SOP 8-12. 3. Tutwiler SOP 916- Institutional PREA Coordinator.	1. Deputy Comm. Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Ms. Christy Vincent, ADOC PREA Director	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16
☐ Substantial Compliance	
☐ Partial Compliance	
☐ Non-compliance	
☒ n/a 2/28/2016	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE:1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. Tutwiler currently does not have this requirement documented in a SOP. It is expected that this requirement will either be incorporated in SOP 8-12 or SOP 916 (IPCM) or a new SOP for investigations will be created
2. The Deputy Commissioner for Women's Services Williams stated that she reviews all investigative reports involving Tutwiler incidents. She reports that if she observes any discrepancies or she has questions, she directs them to Director Mercado, I+I.

Note: There have not been any ADOC referrals, to a prosecutor, of a Tutwiler case involving PREA violations since the May 28, 2015 effective date of the agreement. The monitor reviewed the PREA investigations spreadsheet in I+I and interview with Deputy Commissioner Williams.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. Review of the SOP created or revised by Tutwiler in response to this requirement.
2. Review of the specific guidelines, protocols developed by Tutwiler via this provision
3. Review of Tutwiler PREA incident reports from March-May 2016
4. Interviews with selected ADOC and Tutwiler staff

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Training be revised or updated to respond to the new or revised SOP	1. May 1, 2016

REFERRALS AND INVESTIGATIONS III.K ADOC and Tutwiler shall ensure that all allegations of sexual abuse and sexual harassment are promptly, thoroughly, and objectively investigated and appropriately referred for prosecutorial review, and that alleged victims are advised of the outcome of their allegations**.**				
	Policy		Develop Policy	Implement Policy
Investigators 3.The use of pre-hearing segregation shall be limited to inmates whose continuing behavior is a threat to facility safety, or who will not stop the prohibited behavior. Such pre-hearing segregation shall not be used for more than 72 hours, at which time an inmate must be afforded a disciplinary hearing, or provided a written explanation of why the hearing is postponed and when the hearing will be re-scheduled. 5.Where sexual abuse or sexual harassment is alleged, ADOC shall use investigators who have received special training in institutional sexual abuse and sexual harassment investigation. Specialized training shall include techniques for interviewing sexual abuse victims, proper use of *Miranda* and *Garrity* warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. ADOC shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. The Department-wide PREA Coordinator and Tutwiler's PREA Compliance Manager shall not serve as investigators for sexual abuse investigations. 7.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 inmate or staff. ADOC or Tutwiler are prohibited from offering or administering polygraph examinations or other truth-telling devices to an inmate who alleges sexual abuse or sexual harassment. 8.ADOC shall issue a written investigative report within 30 days after the conclusion of a sexual abuse or sexual harassment investigation that indicates whether the allegation is substantiated, unsubstantiated, or unfounded. The investigator may request in writing, approved by the facility designee, an extension for cause that identifies the remaining actions necessary to complete the investigation. In no case shall the investigation be unfounded solely due to the expiration of the 30 days. The investigative report shall include an effort to determine whether staff actions or failures to act contributed to the abuse, a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. 9.ADOC shall work with the Monitor on ensuring that an investigative summary sheet that provides an overview of the current status of an investigation is included. The summary information should include, among other things, basic information such as staff name(s), prisoner names(s), location of incident, and the	III.K.3 III.K.5 III.K.7 III.K.8 III.K.9		February 28, 2016	February 28, 2016

time of day. 10.The departure of the alleged perpetrator or victim from the employment or control of ADOC or Tutwiler shall not provide a basis for terminating an investigation.	III.K.10			

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Pre-hearing segregation is limited to inmates whose continuing behavior is a threat to facility safety, or who will not stop the prohibited behavior.	Y N N/A	Y N N/A	Y N N/A
Pre-hearing segregation is not used for more than 72 hours, at which time an inmate must be afforded a disciplinary hearing, or provided a written explanation of why the hearing is postponed and when the hearing will be re-scheduled.	Y N N/A	Y N N/A	Y N N/A
Only investigators who have received special training in institutional sexual abuse and harassment investigations are used in such investigations.	Y N N/A	Y N N/A	Y N N/A
1. Specialized training includes techniques for interviewing sexual abuse victims, proper use of *Miranda* and *Garrity* warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.	Y N N/A	Y N N/A	Y N N/A
2. ADOC maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.	Y N N/A	Y N N/A	Y N N/A
3. The Department-wide PREA Coordinator and Tutwiler's PREA Compliance Manager do not serve as investigators for sexual abuse investigations.	Y N N/A	Y N N/A	Y N N/A
Investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence, and electronic monitoring data; interview alleged victims, suspected perpetrators and witnesses; and review prior complaints and reports of sexual abuse and sexual harassment involving the suspected perpetrator.	Y N N/A	Y N N/A	Y N N/A
The credibility of an alleged victim, suspect or witness is assessed on an individual basis and shall not be determined by the person's status as inmate or staff	Y N N/A	Y N N/A	Y N N/A
ADOC and Tutwiler are prohibited from administering polygraph examinations or other truth-telling devices to an inmate who alleges sexual abuse/harassment.	Y N N/A	Y N N/A	Y N N/A

ADOC issues a written investigative report within 30 days after the conclusion of a sexual abuse or sexual harassment investigation that indicates whether the allegation is substantiated, unsubstantiated, or unfounded.	Y N N/A	Y N N/A	Y N N/A
The investigator may request in writing, approved by the facility designee, an extension for cause that identifies the remaining actions necessary to complete the investigation.	Y N N/A	Y N N/A	Y N N/A
1. In no case shall the investigation be unfounded solely due to the expiration of the 30 days.	Y N N/A	Y N N/A	Y N N/A
The investigative report includes:			
1. an effort to determine whether staff actions or failures to act contributed to the abuse,	Y N N/A	Y N N/A	Y N N/A
2. a description of the physical and testimonial evidence,	Y N N/A	Y N N/A	Y N N/A
3. the reasoning behind credibility assessments,	Y N N/A	Y N N/A	Y N N/A
4. and investigative facts and findings.	Y N N/A	Y N N/A	Y N N/A
ADOC shall work with the Monitor on ensuring that an investigative summary sheet that provides an overview of the current status of an investigation is included. The summary information should include, among other things, basic information such as staff name(s), prisoner names(s), location of incident, and the time of day.	Y N N/A	Y N N/A	Y N N/A
An alleged perpetrator or victim's departure from the employment or control of ADOC or Tutwiler shall not provide a basis for terminating an investigation.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

USE of Pre-hearing segregation shall be limited to inmates whose continuing behavior is a threat to facility safety, or will not stop the prohibited behavior. Such pre-hearing will not be used for more than 72 hours.....

a. Review SOP 5-9 Administrative Segregation revised to include this provision.
b. Review spreadsheet that is is kept to document every inmate placed in administrative segregation (pre-hearing) since the time Lt. Coleman began keeping the log until time of the compliance tour. Spreadsheet should specifically name the behavior reason for the placement-and who determined it.
c. Review randomly selected segregation daily logs of a number of inmates named on the spreadsheet.
d. Any emails or administrative memos from Warden Barrett and/or from any of the three Warden I staff regarding their review of the administrative

segregation process, routine reports generated by them.
e. Interviews with Dr. Williams, Warden, McClain, Young, Coleman, shift captain responsible for oversight of segregation, unit disciplinary hearing officer, DOC PREA.
f. Interviews with random inmates confined in administrative segregation for the past three months to the compliance visit.
g. Review written explanations made to inmates regarding their place on AS longer than 72 hours.

ONLY investigators who have received special training in institutional sexual abuse and harassment investigations are used in such investigations
a. Review AR 454 and SOP 8-12 regarding this provision for specialized training.
b. Training curriculum provided by Moss Group and used to train staff. Note the issues addressed in the training that are required by this provision. Interview Andie Moss regarding the selection and background of the curriculum used.
c. Documentation of FBI training to investigators on the Miranda and Garrity warnings.
d. Training rosters or documents showing the completion of this Specialized training.
e. Identify the trainers used to train the investigators and their resume/expertise.
f. Identity of investigators used since June 2015 to the date of the compliance tour.
g. Interviews with Dr. Williams, DOC PREA Director, Warden, McClain, Young.
h. Interviews with currently used investigators and detailed description of their duties while conducting an investigation -per requirements of this provision. Review internal documents generated by them that document their duties (i.e. interview forms, submission of DNA for analysis, review of prior complaints against suspected perpetrator).

CREDIBILITY of an alleged victim, suspect or witness is assessed on an individual basis and shall not be determined by the person's status as inmate or staff....ADOC and Tutwiler is prohibited from offering or administering polygraph exams....
a. Review policy and SOP 8-12 that include these requirements in practice at time of the visit.
b. Record of any polygraph exams administered since June 2015 until time of compliance visit.
c. Interviews of completed investigations, to include reviewing witness statements, inmate victim(s) and alleged perpetrator(s), security staff statements.
d. Interviews with Dr. Williams, Warden, McClain, Young, DOC PREA Director, internal affairs director (supervisor of investigators-if not this person).

ADOC shall issue a written investigative report within 30 days after the conclusion of a sexual abuse or sexual harassment investigates that indicates whether the allegation is substantiated, unsubstantiated, or unfounded...
a. Review of policy and SOP establishing these guidelines.
b. Review of completed investigative reports, completed within the 30 days, and those with an extension from November 2015-compliance visit in 2016.
c. Copies of written extensions granted by Deputy Commissioner for Women's Services and the specific requests/reason they were made and sent to her.
d. Interview investigators, along with reports they completed, for the details required in this provision.
e. Interviews with Dr. Williams, Warden, McClain, Young, DOC PREA Director, DOC investigators and their immediate supervisor, Coleman and DOC Grievance Appeal Authority.
e. Written timeline with each PREA investigation -when initiated, process of investigation, conclusion and submission of final report.

ADOC shall work with the Monitor on ensuring an investigative summary sheet that provides an overview of the current status of the investigation is

included....
a. Policy and SOP addressing this requirement.
b. Copies of completed investigative summary sheets-discuss with investigators.
c. Interview with Dr. Williams, Warden, McClain, Young, DOC PREA.
**these interviews will discuss reasons for terminating an investigations and also previous interviews to determine the appropriate reason for termination

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised Tutwiler SOP 8-12. 3. Tutwiler SOP 5-9-administrative segregation. NOTE- not currently in policy. 4. Tutwiler "Pre-Hearing Segregation" log-maintained by Lt. Coleman. 5. Documentation of the Moss Group training for ADOC investigators. 6. Curriculum used by Moss group for training investigators. 7. Documents maintained by Lt. Young related to these requirements. 8. Logs or documented created by/ maintained by Lt. Coleman-separate from pre-hearing segregation log. 9. Three months of official segregation administrative logs at Tutwiler. 10. Review of Tutwiler grievances, January-April 2016. 11. Documentation of any additional investigative training received by I+I investigators in 2016- also proof of FBI Garrity training received. 12. Review of ADOC investigative reports from January-May 2016. 13. Review documents of any extensions of 30 day time frame,	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Ms. Christy Vincent, ADOC PREA Director 6. Mr. Arnaldo Mercado, ADOC Director of Investigations Division 7. Ms. Kelley Smith, ADOC investigation (assigned to Tutwiler), and other I+I investigators 8. Andie Moss, the Moss Group 9. Lt. Coleman 10. Shift Commanders	None

approved by Commissioner Williams. 14. Review of ANY documents created for these requirements, not previously requested by name -by Tutwiler or ADOC. 15. Investigative summary sheet, created by #9 of this section.		

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.K.3, III.K.5, III.K.7, III.K.8, III.K.9 and III.K.10. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16
☐ Substantial Compliance ☐ Partial Compliance ☐ Non-compliance ☒ n/a 2/28/2016	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted. 2) review of documents, as noted, and 3) baseline and compliance visits

1. ADOC 454 and Tutwiler SOP 8-12 (revised)
2. Tutwiler has SOP 5-9, Administrative Segregation, and it has been revised to include K. 3. In this provision. It is not currently in published policy.
3. Lt. Coleman is keeping a spreadsheet for "pre-segregation" on all inmates assigned to administrative segregation.
4. In section III. K.5, portions of this requirement are in ADOC 454 and Tutwiler SOP 8-12. Specifically, the Moss Group and the National Institute of Corrections provided specialized training for investigators; including techniques for interviewing sexual abuse victims, sexual abuse evidence collection and criteria required to substantiate a case for administrative action or prosecution. This is in both ADOC and Tutwiler policy.
5. Monitor interviewed Director Mercado of the Investigations and Intelligence division in ADOC. He verified that both Garrity and Miranda training has been received from the FBI for their investigators.
6. Tutwiler stopped administering polygraphs to Inmates since May 28, 2015 but it is not in policy currently
7. Requirement K. 8 will be added in the revision of 8-12 for Tutwiler
8. Requirement K. 9 has not been accomplished to date.
9. Requirement K. 10 is not in policy but in practice at Tutwiler and it will be added to the revised 8-13.

NOTE: the generic correctional term " administrative segregation" is used to describe all inmate assignments to a segregated status, to include the placement of an inmate on " pre-hearing segregation". Disciplinary segregation is a sanction used in the disciplinary hearing process, once inmate guilt has been determined. Tutwiler maintains a log for those inmates placed in administrative segregation in a " pre-hearing status"

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted 3) baseline and compliance visits

1. Review the revised Tutwiler SOP 8-12 for the inclusion of all the requirements noted above in the monitor discussion
2. Review of the "pre-hearing segregation" spreadsheet
3. Review completed PREA investigations by I+I in January-May 2016
4. Interviews with various Tutwiler staff, ADOC PREA Director, ADOC investigators in I+I

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Revise and update staff training to include the revisions noted above for III K.	1. Upon implementation of revised SOP 8-12 at Tutwiler

REFERRALS AND INVESTIGATIONS III.K ADOC and Tutwiler shall ensure that all allegations of sexual abuse and sexual harassment are promptly, thoroughly, and objectively investigated and appropriately referred for prosecutorial review, and that alleged victims are advised of the outcome of their allegations.				
	Policy		Develop Policy	Implement Policy
Outside Investigations; Inmate Notification 11.When outside agencies investigate alleged incidents of sexual abuse, ADOC and Tutwiler shall cooperate with outside investigators and shall endeavor to remain informed, to the extent appropriate, about the progress of the investigation. 12.Following an investigation into an inmate's allegation that she suffered sexual abuse or sexual harassment in any ADOC facility or while within the physical custody and control of the ADOC, ADOC and Tutwiler shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. 13.If ADOC or Tutwiler did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate. 14.Following an inmate's allegation that a staff member has committed sexual abuse or sexual harassment against the inmate, ADOC and Tutwiler shall subsequently inform the inmate whenever: *(see below)* 15.All such notifications or attempted notifications shall be documented.	III.K.11 III.K.12 III.K.13 III.K.14 III.K.15		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
When outside agencies investigate alleged incidents of sexual abuse, ADOC and Tutwiler cooperate with outside investigators and endeavor to remain informed, to the extent appropriate, about the progress of the investigation.	Y **N** N/A	Y N N/A	Y N N/A
Following an investigation *(external or internal)* into an inmate's allegation that she suffered sexual abuse or sexual harassment in any ADOC facility or while within the physical custody and control of the ADOC, ADOC and Tutwiler informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.	**Y** N N/A	Y N N/A	Y N N/A

If ADOC or Tutwiler did not conduct the investigation, it requests the relevant information from the investigative agency in order to inform the inmate. Following an inmate's allegation that a staff member has committed sexual abuse or sexual harassment against the inmate, ADOC and Tutwiler subsequently inform the inmate whenever: The staff member is no longer posted within the inmate's unit; The staff member is no longer employed at Tutwiler; or ADOC and/or Tutwiler learn that the staff member has been indicted or convicted on a charge related to sexual abuse within Tutwiler. All such notifications or attempted notifications are documented.	Y N N/A Y N N/A Y N N/A	Y N N/A Y N N/A Y N N/A	Y N N/A Y N N/A Y N N/A

MONITOR'S MEASURES OF COMPLIANCE

When outside agencies investigate alleged incidents of sexual abuse, ADOC and Tutwiler shall cooperate with outside investigators and shall remain informed, to the extent appropriate, about the progress of the investigation.

If Tutwiler did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.

a. Review the policy and SOP's for this set of requirements.
b. Documentation of referrals of ALL cases to outside investigation authorities since November 2015 until date of compliance visit 2016. Who referred, what agency, and documents, emails, memos used.
c. During outside investigations, who in DOC is the point person for contact/ coordination--submission of evidence, etc. interviews with that individual (s). Memos, emails created by these staff to update Dr. Williams, Warden Barrett, etc., on the progress of these investigations.
d. At the conclusion of an outside investigation, copies of finalized reports, analysis, recommendations from outside authority.
e. Interviews with Dr. Williams, DOC PREA, DOC internal affairs and investigators, Warden, McClain and Young.

Following an investigation (internal or external) into an inmates allegation that she suffered sexual abuse or sexual harassment in any ADOC facility.....informs the inmate as to whether or not the allegation has been determined to be substantiated, unsubstantiated, or unfounded
a. SOP for this requirement.
b. Documentation of all cases that REQUIRED this type of notification-number of investigations since November 2015 that were conducted, completed and received a status. Review these investigations.
c. Review of evidence of the inmates being notified via this requirement-names of inmates and staff informing them, when and where.

d. Interviews with random selection of the inmates named in c.
e. Interviews with Dr. Williams, Warden, McClain, Young, DOC PREA, DOC internal investigators.

ALL such notifications or attempted notifications shall be documented
a. Review of documentation by Tutwiler IPCM of inmate notifications placed in the inmate "vault files" and the investigation file for the case.
b. Interview with Internal investigators responsible for making the notifications -review investigation files with them.
c. Interviews with Dr. Williams, DOC PREA Director, Warden, McClain, Young.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC 454. 2. Revised Tutwiler SOP 8-12. 3. Form used to inform inmates of employee/investigation status. 4. Notebooks/ logs created, maintained by Lt. Young via this section. 5. Completed Tutwiler incident reports on PREA allegations January-May 2016. 6. Documentation/ communications from any outside agency conducting a PREA investigation with ADOC I+I. 7. PREA investigation logs in I+I January-May 2016 8. Review of selected inmate "vault" files that received notification via this section. 9. Completed I+I PREA investigations January-May 2016-on site review. 10. Letters, memos from ADOC to local district attorney for investigation referrals.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. Mr. Arnaldo Mercado, Director of ADOC Investigations Division 6. Ms. Christy Vincent, ADOC PREA Director 7. Inmate focus group 8. Inmates who have received this notification from January -May 2016	1. Review of "vault" files on select inmates 2. Review of completed ADOC PREA investigation reports January-May 2016

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.K.11, III.K.12, III.K.13, III.K.14 and III.K.15. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16
☐ Substantial Compliance ☐ Partial Compliance ☐ Non-compliance ☒ n/a 2/28/2016	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/18/16
Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits 1. Requirements III. K. 11, 12, 13, 14 and 15 were put in practice at Tutwiler and ADOC I+I on May 28, 2015. They are not currently all in policy but all requirements will be included in the revised Tutwiler SOP 8-12. 2. Monitor discussed completed PREA investigations with Director Mercado and investigator Ms. Kelley Smith during the compliance tour. Monitor saw the form used to notify the inmate of the outcome of an investigation. This is K. 14. iii requirement and is placed in the "vault" file of the inmate. ADOC uses the term "vault files" in reference to the Central inmate computerized files maintained on all ADOC inmates. 3. Section K. 15 is currently in ADOC 454 and Tutwiler SOP 8-12	

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits 1. Review all of the revised policies, ADOC 454, and Tutwiler SOP 8-12 for inclusion of all these requirements 2. Interviews with ADOC I+I and Tutwiler staff during compliance visit in June 2016 3. Inmate and staff focus groups during compliance 2016 visit	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Train staff in revised or updated policies, as needed upon implementation of all of the K. Requirements in this provision	1. As needed

REFERRALS AND INVESTIGATIONS III.K ADOC/Tutwiler shall ensure that all allegations of sexual abuse and sexual harassment are promptly, thoroughly, and objectively investigated and appropriately referred for prosecutorial review, and that alleged victims are advised of the outcome of their allegations.				
	Policy		Develop Policy	Implement Policy
Investigations Review 16.A review team, including upper-level management officials at Tutwiler, with input from line supervisors, investigators, and medical and mental health practitioners, shall conduct an incident review within 30 days of the conclusion of every investigation of substantiated and unsubstantiated allegations of sexual abuse or staff-on-inmate sexual harassment. The review team shall: *(see below)* 17.ADOC and Tutwiler shall implement the recommendations for improvement or shall document its reasons for not doing so.	III.K.16 III.K.17		February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
A review team conducts an incident review within 30 days of the conclusion of every investigation of substantiated and unsubstantiated allegations of sexual abuse or staff-on-inmate sexual harassment.	Y	N	N/A	Y	N	N/A	Y	N	N/A
1. the review team include upper-level management officials at Tutwiler	Y	N	N/A	Y	N	N/A	Y	N	N/A
2. the review team has input from line supervisors, investigators, and medical and mental health practitioners.	Y	N	N/A	Y	N	N/A	Y	N	N/A
The review team:									
1. Considers whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse or staff-on-inmate sexual harassment;	Y	N	N/A	Y	N	N/A	Y	N	N/A
2. Considers 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 was motivated or otherwise caused by other group dynamics at Tutwiler;	Y	N	N/A	Y	N	N/A	Y	N	N/A
3. Examines the area in Tutwiler where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;	Y	N	N/A	Y	N	N/A	Y	N	N/A
4. Assesses the adequacy of staffing levels in that area during different shifts;	Y	N	N/A	Y	N	N/A	Y	N	N/A
5. Includes a review, by a Warden or senior management, of the personnel file of any involved employees to assess needs in background screening, training, and/or supervision;	Y	N	N/A	Y	N	N/A	Y	N	N/A

6. Assesses whether monitoring technology should be deployed or augmented to supplement supervision by staff; and 7. Prepares a report of its findings and any recommendations for improvement and submits such report to the Monitor, DOJ, the Warden, the Department-wide PREA Coordinator, and Tutwiler's PREA Compliance Manager. ADOC and Tutwiler implement the recommendations for improvement or document its reasons for not doing so.	Y Y Y	N N N	N/A N/A N/A	Y Y Y	N N N	N/A N/A N/A	Y Y Y	N N N	N/A N/A N/A

MONITOR'S MEASURES OF COMPLIANCE

Referrals and Investigations (2 requirements-first is lengthy about review team)
a. Review of AR 454 and SOP 8-12 and revisions that include all specific requirements of this provision.
b. Memos establishing the review team, identify each team member and their position.
c. Documents prepared for the meetings, minutes of each meeting (dates etc.) and final outcomes in documents prepared as a result of the review.
d. How is ''input ' gathered/heard by review team from line supervisors, investigators, health care personnel practitioners.
e. Interviews with random selected team members since June 2015 until compliance visit in 2016. The process required for each review will be examined for each case.
f. Review ANY subsequent actions that are recommended by the team meeting. Memos, emails, new SOPs. Interview anyone that could be recipient of these documents.
g. Final reports prepared for Monitor, DOJ, Warden and other parties.
h. Interviews with Dr. Williams, DOC PREA Director, DOC investigators, Warden, McClain, Young.

ADOC and Tutwiler implements the recommendations for improvement or document its reasons for not doing so
a. Review of written recommendations and any concrete changes that occurred as a result of the recommendations.
b. Documents that describe "why" recommended actions were not taken.
c. Interviews with Dr. Williams, DOC PREA, Warden, McClain, Young.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised Tutwiler SOP 8-12. 3. Membership of the Tutwiler PREA review team form January-May 31, 2016. Review of minutes taken for each committee meeting 4. Logs, documents maintained by the IPCM related to the committee recommendations and actions taken.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. MHM Site Administrator 6. Dr. Scott Holmes, Tutwiler Psychological Associate 7. Corizon Site Administrator at Tutwiler 8. Lt. Coleman 9. Ms. Christy Vincent, ADOC PREA Director 10. Mr. Arnaldo Mercado, ADOC Investigations Director	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.K.16 and III.K.17. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/18/16

Monitor will evaluate the steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. ADOC 454 and Tutwiler SOP 8-12.
2. Tutwiler put into practice K. 16, 17 in February 2014. The revised 454 and SOP 8-12 will contain the specific requirements of this provision
3. Section K. 16. ii, iii, vi are in practice and in SOP 8-12
4. Section K. i, v, vii are not comprehensively in ADOC and Tutwiler policy but will be covered in the revisions of both policies
5. Lt. Young maintains a log/notebook containing all the minutes of the meeting s held.
6. Monitor discussed the Tutwiler review team with the Warden and top staff at Tutwiler. It is a knowledgeable, professional group of staff. The review team meets after every substantiated or unsubstantiated allegation of sexual abuse and staff-on-inmate sexual harassment. ADOC reports it met 11 times since the effective date of the settlement, May 28, 2015. ADOC will submit the minutes of these 11 meetings to the monitor and DOJ immediately, as required.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/18/16
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits 1. Review of revised Tutwiler SOP 8-12 for the inclusion of all the requirements of III. K. 16 and 17. 2. Review the minutes of team meetings from January-May 2016 3. Examine any report generated after a thorough review, via this section, of a PREA incident at Tutwiler 4. Interviews of the Tutwiler Review team during June 2016 compliance visit. Interview with ADOC PREA Director.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. If an incident review report is complete, send to monitor and DOJ immediately. ADOC will send the minutes of the prior 11 meetings of the review committee.	1. Immediately, as reports are completed
2. After the team review of the incident, the warden should review the video camera footage, if applicable, for any improvements in camera angles.	2. One month after report
3. Document any actions taken at Tutwiler as a result of implementing any changes made as a result of the post event review by the Tutwiler team.	3. After completion of implementation of changes

REFERRALS AND INVESTIGATIONS III.K ADOC/Tutwiler shall ensure that all allegations of sexual abuse and sexual harassment are promptly, thoroughly, and objectively investigated and appropriately referred for prosecutorial review, and that alleged victims are advised of the outcome of their allegations.				
	Policy		Develop Policy	Implement Policy
18.**Within 60 days of the Effective Date**, ADOC and Tutwiler shall review all pending investigations alleging sexual abuse and sexual harassment to determine whether the investigation was conducted according to the requirements of Section III. K. of this Agreement. **Within 120 days of the Effective Date**, ADOC and Tutwiler will conduct a similar review of all unfounded allegations of sexual assault and sexual harassment for the past 360 days to determine whether the investigation was conducted according to the requirements of Section III. K. of this Agreement.	III.K.18		July 28, 2015 September 28, 2015	July 28, 2015 September 28, 2015

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
Within 60 days of the Effective Date, ADOC and Tutwiler shall review all pending investigations alleging sexual abuse and sexual harassment to determine whether the investigation was conducted according to the requirements of Section III. K. of this Agreement.	Y N N/A	Y N N/A	Y N N/A
Within 120 days of the Effective Date, ADOC and Tutwiler will conduct a similar review of all unfounded allegations of sexual assault and sexual harassment for the past 360 days to determine whether the investigation was conducted according to the requirements of Section III. K. of this Agreement.	Y N N/A	Y N N/A	Y N N/A

MONITOR'S MEASURES OF COMPLIANCE
Within 60 days of the effective date, ADOC and Tutwiler shall review all pending investigations alleging sexual abuse and sexual harassment to determine whether the investigation was conducted according to requirement s of section K of this agreement. A. Documentation of this review by anyone involved in the process. B. Summary list of the review-time frames completed C. Any documents that reflect an investigation that did NOT comfort with the requirements of this section. Documents describing the actions taken and final resolution of these cases Within 120 days of effective date, similar review of all unfounded allegations of sexual assault and sexual harassment for the past 360 days to determine whether the investigation was conducted according to requirements of this section

D. Documents/directives/memos used on this review process-
E. Process used to identify these cases. List of the cases reviewed, dates of cases and dates of review
F. Documentation of resolution in each review.
G. Any remedial actions taken in any of these cases as a result of the review

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Memo from Commissioner Williams, 11/20/15, to the Monitor regarding "Review of Unfounded Investigations". 2. Moss Group document, " Investigative Review Summary report", 11/18/15, that reviewed Tutwiler cases in 2014/2015 that were " unfounded and unsubstantiated" per PREA guidelines. This summary report involved 55 cases reviewed by the Moss Group via this settlement requirement. 3. Moss Group document, " Investigative Review Summary report"- requirement to review ANY pending cases at the time or near the time of the execution of the agreement. It contained a brief summary review of 4 cases and their observations.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. ADOC General Counsel, Anne Hill. 6. Andie Moss, the Moss Group	1. Baseline and Compliance tours observations of PREA information posters, toll free Hotline phones for reporting and location of grievances boxes in annex and main facility.

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☒ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☐ n/a no assessment due until _____

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/17/2016

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits.

Requirements (summary)
1. Within 60 days of the effective date of settlement, ADOC and Tutwiler shall review all pending investigations alleging sexual abuse and sexual harassment to determine whether the investigation was conducted according to requirements K. Of this agreement
2. Within 120 days of effective date, ADOC and Tutwiler shall conduct a similar review of all unfounded allegations of sexual assault and sexual harassment for the past 360 days to determine whether the investigation was conducted according to requirements of section K. Of the agreement

_____

1. ADOC contracted with the Moss Group to conduct these two required assessments of PREA allegations and investigations.
2. The Moss Group review included: all exhibits, such as medical and mental health inmate victim files, and any protective custody documentation.
3. Meeting was held on November 20, 2015 with ADOC leadership to discuss the findings of the Moss Group review.
4. Monitor reviewed the Moss Group executive summary of the pending PREA cases, at the time of the execution of the agreement. There were four cases and the summary. The summary included eight observations for ADOC and Tutwiler. After review of these observations, it is noted that there were several operational protocols that were addressed as concerns for the ADOC and Tutwiler investigators. It is noted three of the cases were in 2014 and one was on 6/09/15 and the finding was it was a false allegation. Monitor is recommending that ADOC review the suggestions made in this review.
5. Monitor reviewed the Moss Group executive summary of the "unfounded" PREA cases for the period of 360 days PRIOR to the effective date of the agreement, May 28,2015. In addition, the monitor received and reviewed the 370 page complete report the consultants prepared for these 55 cases. It is noted that the consultants prepared a thorough and detailed matrix spreadsheet that was used for each case. The matrix they created has 29 different questions/inquiry about the sequential elements of each investigation. The questions follow the investigative requirements in PREA and the settlement. It will be very informative for ADOC. The monitor is recommending that ADOC review the generic suggestions made by these consultants for improvement in their investigations The Monitor is familiar with the two Moss Group consultants used for this review. They are both lawyers and very knowledgeable and experienced in addressing PREA investigative issues. It is an excellent summary of their observations. It is noted that most of the cases were in 2014. There is detailed feedback to ADOC and Tutwiler concerning their investigative processes and now it can be improved, enhanced, refined.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/17/2016
Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted and 3) baseline and compliance visits. 1. Monitor has and reviewed both of the required reviews by the Moss Group. 2. The reviews were thorough and offers detailed feedback for ADOC and Tutwiler 3. The requirements for this provision are specific for the detailed reviews that were conducted and produced.	

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. ADOC and Tutwiler management should review these observations in both reports-thoroughly.	1. 4/1/2016
2. ADOC and Tutwiler should create one document regarding the various generic observations made by the Moss Group in both reviews. There are similar issues raised in both reviews. Tutwiler should establish a review session with possible investigators and executive staff, to be reminded of the basic requirements of a PREA investigation.	2. 4/15/2016
3. ADOC and Tutwiler should modify and existing SOP's if their review of the reports observations warrant any revision or additions of information.	3. 5/28/2016
4. ADOC shall give a copy of the summary it created of the investigated issues to Director Mercado in I&I. The monitor and DOJ should receive a copy of this summary report.	4. As soon as report is completed

STAFF DISCIPLINARY ACTIONS

III.L ADOC and Tutwiler shall take appropriate disciplinary action against staff found to have engaged in sexual abuse or sexual harassment or to have violated Tutwiler's policies and procedures regarding sexual abuse or sexual harassment.

	Policy	Develop Policy	Implement Policy
1. ADOC and Tutwiler shall develop, submit to the Monitor and DOJ for review consistent with Section III.A.6., and implement policies and procedures that track staff disciplinary actions related to allegations of sexual abuse or sexual harassment, to ensure that the directives in III.L.2-III.L.6 below are met.	III.L.1 III.L.2 III.L.3 III.L.4 III.L.5 III.L.6	February 28, 2016	February 28, 2016

REQUIREMENTS	Policy Developed	Staff Trained	Policy Implemented
ADOC and Tutwiler ensure prompt corrective action following any substantiated finding or recommendation resulting from either an administrative or criminal investigation surrounding an incident of sexual abuse or sexual harassment. This will include, but not be limited to:	Y **N** N/A	Y **N** N/A	Y **N** N/A
1. Documented disciplinary sanctions of staff; and	Y **N** N/A	Y **N** N/A	Y **N** N/A
2. Permanent removal of staff from the post where the incident occurred.	Y **N** N/A	Y **N** N/A	Y **N** N/A
Staff are subject to disciplinary sanctions up to and including termination for violating ADOC's sexual abuse or sexual harassment policies.	**Y** N N/A	**Y** N N/A	**Y** N N/A
Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse.	**Y** N N/A	**Y** N N/A	**Y** N N/A
Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.	**Y** N N/A	**Y** N N/A	**Y** N N/A
All terminations for violations of ADOC's and Tutwiler's sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated for sexual abuse or sexual harassment, if not for their resignation, are reported to local prosecutors, unless the activity was clearly not criminal in conformance with Alabama law, and to any relevant licensing bodies.	Y **N** N/A	Y **N** N/A	Y **N** N/A
Develop and implement policies (submitted for review) and procedures that track staff disciplinary actions related to allegations of sexual abuse or harassment	Y **N** N/A	Y **N** N/A	Y **N** N/A

Ensure prompt corrective action following any substantiated finding or recommendation resulting from either an administrative or criminal investigation surrounding an incident of sexual abuse or harassment including (but not limited to) document disciplinary sanctions and permanent removal of staff from post where incident occurred	Y	N	N/A	Y	N	N/A	Y	N	N/A
Staff shall be subject to disciplinary sanctions up to and including termination for violating ADOC's sexual abuse or harassment policies	Y	N	N/A	Y	N	N/A	Y	N	N/A
Terminations for violations of sexual harassment or sexual abuse policies shall be reported to local prosecutors unless the activity was clearly not criminal in conformance with AL law.	Y	N	N/A	Y	N	N/A	Y	N	N/A

MONITOR'S MEASURES OF COMPLIANCE

Staff Disciplinary Actions (looks like 5 will be combining some of them).

ADOC and Tutwiler ensure prompt corrective action following any substantiated finding or recommendation resulting from either an administrative or criminal investigation; including documented disciplinary sanctions of staff ; and permanent removal of staff from the post where the incident occurred
a. ADOC and Tutwiler policy and SOP regarding the personnel actions of the department after an PREA investigation finds a substantiated finding of an incident of sexual abuse or sexual harassment.
b. Memos, emails generated by Warden, Dr. Williams or others that direct action for disciplinary sanctions against any Tutwiler employee for a PREA violation, removal from a post or the facility.
c. Any HR documentation generated by disciplinary sanctions taken against an employee at Tutwiler via this provision.
d. Interviews with Dr. Williams, DOC PREA and HR manager, Warden, McClain, Young.

STAFF is subject to disciplinary sanctions up to and including termination for violating ADOC's sexual abuse or sexual harassment policies.

TERMINATION is the presumptive disciplinary sanction for staff who engaged in sexual abuse

DISCIPLINARY sanctions for violations of agency policies relating to sexual abuse or sexual harassment...are commensurate with circumstances of the acts committed, past disciplinary history for the employee...

a. Review ADOC AR 208 for "Employees Standards of Conduct and Discipline" and SOP 9-9.
b. ADOC PREA policy indicating a zero tolerance policy.

c. Review of completed investigations that required personnel sanctions against an employee since June 2015-compliance visit of 2016.
d. Review of personnel records(on site) with the HR manager to verify employees disciplinary actions pursuant to this requirement.
e. Interviews with Dr. Williams, DOC PREA Director and DOC Human Resources Manager, Warden, McClain, Young.

ALL terminations for violations of ADOC and Tutwiler's sexual abuse and sexual harassment policies, or resignations by staff under/after investigation, are reported to local prosecutors....any relevant licensing bodies.
a. Review of AR policy and SOP pursuant to this provision.
b. Review of any documents created to make a request to local prosecutors of a completed PREA investigation and any documents / emails received from any local prosecutor in response.
c. Review of any documents reflecting the actual prosecution of an employee.
d. Interviews with Dr. Williams, DOC PREA, DOC investigators, Anne Hill, Warden, McClain, Young.
e. Any reports to licensing bodies of employee conduct in a PREA investigation.

DEVELOP and implement polices (submitted for review) and procedures that track staff disciplinary actions related to allegations of sexual abuse or harassment
a. Review of a document, report that has been created to track employee disciplinary actions. Review all such documents, reports.
b. Interviews with Dr. Williams, DOC PREA, DOC Human Resources Manager, Warden, McClain, Young.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised SOP 8-12. 3. ADOC AR 208 -Employee Standards of Conduct+ Discipline. 4. Tutwiler SOP 9-9-staff disciplinary. 5. ADOC personnel documentation of dismissals of Tutwiler staff for violation of PREA standards. January-May 2016. 6. Any written documents generated by Warden Barrett for employee actions regarding a PREA allegation -and investigation. 7. Letters from ADOC I+I division to local district attorney for staff criminal charges. Documentation of	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 8. Ms. Christy Vincent, ADOC PREA Director 9. Mr. Bill Lawley, ADOC Personnel Director 10. ADOC General Counsel, Ms. Anne Hill	1. Review of staff personnel records on site

any criminal charges taken against an employee January-May 2016. 8. Logs maintained by Captain McCain regarding staff disciplines.		

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

NOTE: THIS SECTION INCLUDES III.L.I, III.L.2, III.L.3, III.L.4, III.L.5 and III.L.6. Please provide separate findings, discussion, and recommendations for all provisions. **MONITOR'S FINDINGS:**	DATE: 2/15/16
☐ Substantial Compliance ☐ Partial Compliance ☐ Non-compliance ☒ n/a 2/28/2016	

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE: 1/18/16

Monitor will evaluate the steps taken by ADOC and Tutwiler by 1) interviews, as noted 2) review of documents, as noted 3) baseline and compliance visits

1. Section L. of the agreement was put in practice at Tutwiler, on the settlement effective date of May 28, 2015
2. Requirements L. 1 , 2 -do not currently exist in Tutwiler policy. These provisions will be added to SOP 9-9- Employee Standards of Conduct and Discipline. This SOP will be reviewed by monitor and DOJ after draft is completed.
3. Requirements L. 3, 4, 5 and 6 are addressed in ADOC AR 208, Employee Standards of Conduct and Discipline. Tutwiler SOP 9-9 has these requirements
4. Section IV. D. 2. ii requires the ADOC to track the number and names of staff assigned at Tutwiler and any events of staff behavior in violation of inmate rights. Additionally, IV. D. 2. xviii. Requires Tutwiler to track staff disciplined for on/off duty conduct consistent with ADOC policy. This data collection will begin May 2016
5. Interviews with ADOC leadership support the zero tolerance practice in employee discipline when an investigation finds them responsible for a PREA violation of sexual abuse or sexual harassment

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE: 1/18/16

NOTE: monitor verified that there have not been any employee dismissals since the effective date of the agreement, May 28, 2015. Interviews with Deputy Commissioner Williams, ADOC personnel Director Bill Lawley and ADOC I+I Director Mercado.

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted 2) review of documents, as noted 3) baseline and compliance visits

1. Review of Tutwiler SOP 9-9 for inclusion of requirements L. 1, 2 of this provision

2. Monitor review of the personnel discipline actions by ADOC for any employee who is found guilty of a PREA violation after an investigation by I+I from January-May 2016

3. Interviews of ADOC leadership, Tutwiler leadership regarding personnel investigation involving alleged PREA violations of sexual abuse and sexual harassment

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. ADOC notify monitor and DOJ of employee discipline taken via these requirements from January-May 2016.	1. As occur

III.M Limited English Proficient (LEP) Inmates									
	Policy						Develop Policy	Implement Policy	
ADOC and Tutwiler shall work with the Monitor to develop and implement a policy providing for a method of interpretation services for LEP inmates. This method may be through a language telephone line, if necessary. ADOC and Tutwiler shall not rely on other inmates or non-certified employees to translate and/or interpret for LEP inmates.	III.M						February 28, 2016	February 28, 2016	
REQUIREMENTS	Policy Developed			Staff Trained			Policy Implemented		
Tutwiler provides for interpretation services for LEP inmates.	Y	N	N/A	Y	N	N/A	Y	N	N/A
This method may be through a language telephone line, if necessary.	Y	N	N/A	Y	N	N/A	Y	N	N/A
ADOC and Tutwiler do not rely on other inmates or non-certified employees to translate and/or interpret for LEP inmates.	Y	N	N/A	Y	N	N/A	Y	N	N/A

MONITOR'S MEASURES OF COMPLIANCE
Limited English Proficient (LEP) inmates ADOC and Tutwiler shall work with Monitor to develop and implement a policy providing for a method of interpretation services for LEP inmates.... a. SOP for requirements and implementation of method(s) provided for LEP inmates. b. Documentation of ALL methods created to provide access for LEP inmates and directive for NON-INVOLVEMENT of other inmates for this purpose. c. Details of the usage of any LEP inmates to access interpretation services -records, logs, phone call use, etc. d. Inmate focus group of LEP identified inmates. e. Review of any grievances submitted since implementation of the grievance process regarding any requirements of the provision. f. Tour impressions. g. Interviews with Warden, McClain, Young, Lt. Coleman, DOC Grievance Appeal Authority, DOC PREA Director.

STEPS TAKEN BY MONITOR TO ANALYZE CONDITIONS AND ASSESS COMPLIANCE, AND FACTUAL BASIS FOR MONITOR'S FINDINGS *(for each member of monitoring team)*		
Documents	Interviews	On-site/Observations / Other
1. Revised ADOC AR 454. 2. Revised Sop 8-12. 3. RFP developed by legal staff to secure services for LEP inmates. 4. Logs, documents used by Dr. Holmes to follow and provide services to LEP inmates.	1. Deputy Commissioner Williams 2. Warden Barrett 3. Captain McClain 4. Lt. Young 5. General Counsel, Ms. Anne Hill 6. Ms. Christy Vincent, ADOC PREA Director 7. Dr. Scott Holmes, Tutwiler Psychological Associate (responsible for LEP services) 8. Inmate focus group	None

UNRESOLVED/PARTIALLY RESOLVED ISSUES FROM PREVIOUS TOUR
Not applicable

MONITOR'S FINDINGS:	DATE: 2/15/16

☐ Substantial Compliance

☐ Partial Compliance

☐ Non-compliance

☒ n/a 2/28/2016

MONITOR'S DISCUSSION: STEPS TAKEN BY ADOC AND TUTWILER TOWARDS IMPLEMENTATION	DATE:1/18/16

Monitor will evaluate steps taken by ADOC and Tutwiler by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. ADOC 454 and Tutwiler SOP 8-12
2. ADOC PREA Director, Ms. Christy Vincent, is working to enter a written contractual agreement with a public or private entity for interpretation services for LEP inmates at Tutwiler.
3. Tutwiler has designated Dr. Scott Holmes, Psychological Associate, as the LEP Coordinator. Dr. Holmes will coordinate, with Lt. Young, securing the services of an ADOC identified qualified interpreter. Since the effective date of the agreement, May 28, 2015, Tutwiler had not been required to use the services of an interpreter.

MONITOR'S DISCUSSION: EXTENT TO WHICH ADOC AND TUTWILER HAVE COMPLIED WITH THE AGREEMENT	DATE:1/18/16

Monitor will evaluate ADOC and Tutwiler compliance by 1) interviews, as noted, 2) review of documents, as noted, and 3) baseline and compliance visits

1. Review of written agreement between ADOC and a competent public or private entity to provide interpreter services for LEP inmates at Tutwiler

MONITOR'S RECOMMENDATIONS: *(for at least the next 6 months)*	DATE DUE:
1. Interview an inmate, if available, who used/ uses LEP services at Tutwiler, during June 2016 compliance visit.	1. June 2016