

PREA AUDIT: AUDITOR'S SUMMARY REPORT

JUVENILE FACILITIES



Name of Facility: Palmetto Youth Academy			
Physical Address: 14494 Harlee Rd, Palmetto, FL 34221			
Date report submitted February 2, 2015			
Auditor information Dan McGehee			
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Date of facility visit July 23-24, 2014			
Facility Information			
Facility Mailing Address: <i>(if different from above)</i>			
Telephone Number: 941-722-3700			
The Facility is:	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input type="checkbox"/> Federal
	<input checked="" type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
Facility Type:	<input type="checkbox"/> Detention	<input checked="" type="checkbox"/> Correction	<input type="checkbox"/> Other:
Name of PREA Compliance Manager: Brian Rogers		Title: Facility Administrator	
Email Address: Brian.Rogers@us.g4s.com		Telephone Number: 941-722-3700	
Agency Information			
Name of Agency: G4S Youth Services, LLC			
Governing Authority or Parent Agency: G4S <i>(if applicable)</i>			
Physical Address: 6302 Benjamin Rd, Suite 400, Tampa FL 33634			
Mailing Address: <i>(if different from above)</i>			
Telephone Number: 813-514-6275			
Agency Chief Executive Officer			
Name: James C. Hill, Jr.		Title: President	
Email Address: jim.hill@us.g4s.com		Telephone	
		Number: 813-514-6275, Ext. 202	
Agency Wide PREA Coordinator			
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AUDIT FINDINGS

Palmetto Youth Academy (Palmetto YA), a G4S facility located in Palmetto, FL, is a forty-eight-bed high-risk facility for male residents ages fourteen to twenty-one. The facility is located in the same complex as the Manatee County Jail. The average length of stay is between nine and twelve months. The Palmetto management team includes a facility administrator, assistant facility administrator, clinical director, director of case management, health services administrator, and business/human resource manager. There were forty eight residents in the facility at the time of the review.

Palmetto Youth Academy employs one director of case management and two case managers. The case managers serve as the treatment team leader for their assigned residents. The treatment team leader is responsible for notifications and contacts with the parent/guardian, juvenile probation officer, and court. Each resident's assigned case manager completes risk classifications, the Residential Positive Achievement Change Tool (R-PACT), the needs assessment summary, performance plans, progress reports, and is responsible for transition planning.

The facility provides comprehensive mental health and substance abuse treatment to all residents. Services are provided by one licensed clinical social worker (LCSW), one psychologist, and two non-licensed master's-level therapists. The LCSW serves as the facility's designated mental health authority (DMHA) and supervises the mental health and substance abuse staff, one director of case management and one shift supervisor. The facility maintains a contract agreement with a licensed psychiatrist. The psychiatrist is on the site at least once every two weeks.

Palmetto Youth Academy has contracted with a medical doctor to serve as the designated health authority (DHA). The facility employs a full-time registered nurse (RN), a licensed practical nurse (LPN), and a twenty-hour weekend LPN. There is an RN and/or LPN on site seven days per week to administer medication and conduct sick call. All residents are seen by the DHA within seven days of admission, regardless of the initial healthcare screening results. The facility has a medical clinic where residents are seen for sick call, examinations by the DHA, and other medical needs.

The facility uses evidence-based programs and practices such as Thinking for Change, Impact of Crime, Life Skills Training, and Cannabis Youth Treatment to encourage positive, self-motivated change in each resident through individual, group, and family counseling services. Also, the Palmetto YA offers a vocational program, including English, math, science, social studies, and reading. Career and technical opportunities include business education courses. Education services are provided by G4S through a contract with the Manatee County School District. The program also serves as a GED test site.

Palmetto YA operates three shifts per day. The facility administrator and assistant facility administrator conduct weekly safety inspections and unannounced rounds on all shifts randomly. The facility is equipped with a camera system, with both interior and exterior cameras. The cameras may be monitored on the desk top of the facility administrator, deputy administrator, and in the control center. The facility does not utilize room restriction, but does use controlled observation.

A review of the last Bureau of Quality Improvement Report of the Palmetto Youth Academy by the Florida Department of Juvenile Justice indicates a finding of satisfactory on all applicable performance indicators. The review was conducted Aug 27-30, 2013.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The Palmetto Youth Academy is co-located on the grounds of the Manatee County jail complex. It is a high security juvenile facility with a single fence topped with razor wire. There is a vehicle sally port that is used and an electronically controlled pedestrian gate into the complex that is not used. All pedestrians enter the lobby and press a buzzer for admission. Staff report to the lobby, sign visitors in, and use a hand-held metal detectors.

The cement/cement block construction building has a central control center with four wings. One wing contains administration, education offices, medical, food service, and intake. The other three wings are living units containing 16 single cells each, showers, and group/class rooms. There is an outside recreation yard that is fenced within the compound. Units do not recreate together.

Maintenance appeared adequate as did sanitation. Grounds and building exteriors were also adequate, although in some locations grass needed cutting and buildings needed pressure washing.

The camera system had recently been upgraded and consisted of 31 cameras. The cameras are in the following locations:

- | DVR1 | DVR2 |
|----------------------------|------------------------|
| 1. Outside Alpha Cottage | 1. South East Rec Yard |
| 2. South West Rec Yard | 2. Charlie Rec Yard |
| 3. Outside Charlie Cottage | 3. Alpha Classroom |
| 4. Charlie Classroom | 4. Bravo Rec Yard |
| 5. Main Hallway | 5. Intake Hallway |
| 6. Alpha Day Room | 6. Bravo Classroom |
| 7. Outside Bravo Cottage | 7. Charlie Day Room |
| 8. Front Gate | 8. Alpha Rec Yard |
| 9. Inside Front Gate | 9. Bravo Day Room |
| 10. Alpha Rec Yard | 10. East Mod |
| 11. Lobby | 11. West Mod |
| 12. Bravo Day Room | 12. Alpha Hallway |
| 13. North East Rec Yard | 13. Charlie Hallway |
| 14. Intake | 14. Time Clock |
| 15. Inside Sally Port | 15. Outside Sally Port |
| 16. Computer lab | 16. Blank |

Camera images are monitored in the central control room and have clear images. Additionally, the FA and AFA can view the cameras in their offices.

Central Control also controls entrances into the facility as well as entrance to wings within the facility. There is a fire alarm system in the entire facility. The control box is in the main lobby monitored by the maintenance supervisor who is on call 24-7. The Tampa Bay Fire company monitors and services the fire suppression system in the kitchen. VSC maintains the sprinkler system. There are no electronics on the fence.

Food is prepared in a central kitchen by staff. Meals are served on trays in the living units.

SUMMARY OF AUDIT FINDINGS:

The audit of Palmetto Youth Academy was conducted on July 23 and 24 by Dan McGehee, assisted by Richard Bazzle, both certified PREA auditors. An entrance briefing was conducted by the audit chair with the facility administrator (FA) and the assistant facility administrator (AFA). The chair explained the audit process and a tentative schedule for the two days to include conducting interviews with staff and residents and reviewing G4S documentation specific to Palmetto Y A. The chair thanked the staff for the opportunity to work with them on this audit and stressed to them that the only goal that his team had was to help Palmetto Youth Academy become PREA compliant.

The tour commenced at nine o'clock a.m. and was headed by the FA and AFA. The tour included the three living units, medical area, school area, control center, outside recreation area and intake area. Staff was observed performing their tasks as were the residents. As a high security facility, all residents were under constant supervision.

In the control center, the team observed the recently upgraded camera images which were clear and discernible. Four images were observed on the screen at once. Images are also visible in both the FA and AFA offices. Staff feels that the cameras assist greatly to monitor what were previously considered blind spots.

In the living areas and in-take areas, the shower process was explained to auditors. The process allows residents the privacy required by the PREA standards. The sanitation of the facility appeared to be adequate.

Auditors returned to the conference room to begin the review of facility-specific documentation. Because policies communicated to auditors previously had not been referenced by standard number or highlighted and because very little supporting documentation had been sent, the chair gave the FA a list of documentation to retrieve for review. The FA and AFA were most helpful in collecting the requested documents allowing the auditors time to review them to determine compliance. Since the audit team had been at a sister G4S facility during the prior two days, corporate policies had already been reviewed and were familiar to the auditors. This saved time in the audit process.

Auditors were present on all three shifts and interviewed staff from each one. Interviews confirmed that PREA training had been conducted, staff knew how to report any sexual allegations on incidents, that no sexual incidents had occurred within the last year, and that residents were under constant supervision. Residents knew how to report any sexual allegations.

A close-out was conducted by the auditors with the FA and AFA at approximately 3:00 p.m. on July 24, 2014. The auditors reviewed those standards found in non-compliance and why the finding was determined. The audit chair then outlined the development of an action plan and reviewed the reporting process.

Since the Audit:

On Tuesday, August 12, 2014, local media in Tampa, FL, reported the arrest of an employee at Palmetto for sexually abusing young boys. Media gave the employee's name and that he had been arrested and incarcerated at the Manatee County Correctional Complex. Subsequent media reports indicated that he had passed a background check with G4S but that he should not have. Upon request, the Florida Department

of Juvenile Justice provided the initial Incident Report from the Central Communication Center dated August 6, 2014. According to media reports, the investigation is on-going.

Number of standards exceeded: **0**

Number of standards met: **38**

Number of standards not met: **0**

Number of standards Not Applicable: **3**

Standard 115.311 – Zero To tolerance of sexual abuse and sexual harassment.

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

G4S Palmetto Youth Academy (PALMETTO YA) Policy 10-25 dated April 25, 2014, mirrors that of its contracting agency, Florida Department of Juvenile Justice, Policy 1919 revised April 10, 2014. Page 3 of the PALMETTO YA policy has necessary written language mandating a zero tolerance for all forms of sexual abuse and sexual harassment. Within the 10 page policy, the agency’s approach to preventing, detecting, and responding to acts of sexual abuse and harassment is outlined.

The agency, G4S, has a PREA Coordinator who oversees PREA compliance efforts for the agency. Page 3 of policy 10-25 designates the PALMETTO YA Facility Administrator as the PREA Compliance Manager and outlines the specific related duties. When interviewed, both the PREA Coordinator and PREA Compliance Manager indicated they had authority and sufficient time to manage PREA compliance related responsibilities.

Standard 115.312 - Contract with other entities for the confinement of residents.

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

PALMETTO YA is a G4S Youth Services, LLC program that operates under contract with the Florida Department of Juvenile Justice (FDJJ) and does not contract with other entities for the confinement of residents.

Standard 115.313 - Supervision and Monitoring

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

PALMETTO YA is a G4S Youth Services, LLC program that became operational September 23, 2008 and exists through contractual arrangement with the Florida Department of Juvenile Justice (FDJJ). A staffing ratio of 1:10 during waking hours and 1:16 during sleeping hours is written into the contract between the two entities. Review of the Staffing Plan Assessment and other secondary documentation such as the Facility Administrator Weekly Management Report and the Monthly Fidelity Compliance Scorecard, validated this ratio. There are no findings of inadequacies from judicial, federal investigative agencies, nor internal or external oversight bodies; and there were no documented deviations from the staffing plan.

The Staffing Plan Assessment and interviews with staff served to validate that in establishing and maintaining the agreed upon ratios, consideration was given to needs of the residents to be served, physical location and layout of the facility, as well as the location of available video surveillance cameras. The facility has 31 cameras, both interior and exterior, which supplement the Staffing Plan.

PALMETTO YA Policy 10-25 mandates that facility supervisors shall conduct unannounced rounds of all areas of the facility at a minimum of one time per shift and that the rounds must be documented on all shifts. Rounds of the facility administrator and his deputy are documented in both the shift report and the control center log.

Standard 115.315 - Limits to cross gender viewing and searches

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

Palmetto YA policies numbers 10-25, 10-3, and 8-14 outline all mandates in compliance with this standard. Policy requires that only in exigent circumstances will cross-gender searches be conducted and that any such search will be documented as to the reason for the search and why a same sex staff was not available. PALMETTO YA Policy 10-3, states that strip searches must be conducted in a private room with two staff members of the same sex as the resident. PALMETTO YA Policy 10-3 further states that body cavity searches must be approved by the Facility Administrator or the Operations Administrator only when it is strongly suspected that a youth has concealed contraband in the body cavity. All body cavity searches must be conducted by trained medical personnel in an emergency room setting. Program staff is not authorized to conduct a body cavity search of a youth. During the past 12 months, there were no cross-gender strip and body cavity searches and no cross-gender pat-down searches.

Policy prohibits searching or examining a transgender or intersex resident for the sole purpose of determining the resident's genital status.

Further, policy also mandates that residents have access to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing; and that staff of the opposite sex shall announce their presence when entering resident housing facility or an area where residents are likely to be

showering or performing bodily functions or changing clothing. Interviews with staff and residents verified that these practices are in place at PALMETTO YA.

Standard 115.316 - Residents with disabilities and residents who are limited English proficient

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

PALMETTO YA Policy 10-25 requires the PREA Facility Compliance Manager to ensure residents with disabilities and residents who are limited English proficient have an equal opportunity to participate in or benefit from all aspects of the facility’s efforts to prevent, detect, and respond to sexual abuse and harassment. The policy also states the facility will take steps to provide interpreters who can interpret effectively, accurately, and impartially.

The policy prohibits the use of youth or staff as interpreters, readers, or other assistants to perform such functions except in limited circumstances where an extended delay in obtaining interpreter’s services could jeopardize residents’ safety. The facility does not use resident assistants and there were no instances of resident interpreter or readers being used in the past 12 months. Staff and resident interviews validated compliance with policy.

Documentation of contracts or agreements for interpreters or other professionals hired to ensure services for disabled and/or limited English proficient residents was not provided.

As of February 2, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.317 - Hiring and promotion decisions

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

Elements required by this standard are outlined in PALMETTO YA Policies 10-25, 3-16 and FDJJ Policy 1919. Persons desiring employment with PALMETTO YA complete the application packet; a portion of which is sent from PALMETTO YA to the FDJJ Office of the Inspector General for background screening. Details of the screening are described on the FDJJ’s website and include conducting two background screenings; the Level II pre-employment screening and a 5-year re-screening. Upon request, background screening is conducted on state and contract provider directors, owners, applicants, employees, volunteers, mentors, and interns. The term ‘contract provider’ includes grant recipient employees, volunteers, mentors, and interns. Background screenings consist of a state and national fingerprint check through the Florida Department of Law Enforcement and the Federal Bureau of Investigation, and a demographic search of the Florida Clerk of the Courts. As a criminal justice agency, the Department has access to juvenile, sealed, and expunged criminal history information.

Interview with Human Resources (HR) staff confirmed that the policy is in practice for staff and contractors. The auditor's review of sample staff files validated at 100% that criminal background records checks were completed, and applicants seeking employment are asked about previous misconduct outlined in section (a) of this standard. Consistent with the PREA requirement and Florida Statutes 768.096 and 435.10, PALMETTO YA has in place a process for contacting prior employers for information before hiring and sharing information with employers.

Of assigned employees, only 8 have anniversary dates of over 5 years. The HR Staff documented that background checks had indeed been conducted on all eight.

The policy states that staff being considered for promotion shall disclose any sexual misconduct and material omission regarding such misconduct, or the provision of materially false information shall be grounds for termination.

Standard 115.318 - Upgrades to facilities and technology

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

PALMETTO YA has not acquired any new facilities, or done any expansion or modification since August 20, 2012. Within the last thirty days, 32 cameras were installed in the facility to supplement the Staffing Plan and to assist with better supervision.

Standard 115.321- Evidence protocol and forensic medical examinations

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

PALMETTO YA does not conduct administrative or criminal sexual abuse investigations and by policy upon learning of such an event PALMETTO YA staff must immediately make a report through the Florida Department of Juvenile Justice (FDJJ) Central Communications Center (CCC) hotline. Policy also mandates a call to local law enforcement and the Florida Department of Children and Families Abuse Registry hotline. Criminal investigations are conducted by the Manatee County Sheriff's Office.

Written on the Youth Acknowledgement and Notification of Prison Rape Elimination Act form is this statement, "*The agency shall offer all residents who experience sexual abuse access to forensic medical examinations whether on-site or at an outside facility, without financial cost.*" Staff interviews validated this practice.

There were no forensic medical examinations conducted in the past 12 months. **There is no MOU with a rape crisis center or other such agency to provide the services required by section C of this standard. Therefore, no documentation could be provided.**

Documentation that the agency has requested the responsible agencies follow requirements in paragraph 115.321 (c) through (f) of the standards was not made available to the auditor.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.322 - Policies to ensure referrals of allegations for investigations

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

PALMETTO YA policy 10.25 requires that any staff receiving a report of sexual misconduct or possible sexual misconduct must ensure that it is immediately reported to their supervisor who shall ensure that it is reported to local law enforcement, (the Manatee County Sheriff’s Office) if criminal in nature. During the past 12 months, there have been no allegations of sexual assault, sexual abuse, or harassment.

The FDJJ Policy 1919 describes the agency’s investigative responsibilities and duties for its facilities and is published on the DJJ website.

Standard 115.331 - Employee training

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

PALMETTO YA Policies 10-25 and 5.1.5 (C) and FDJJ Policy 1919 outline training requirements for staff that is consistent with this standard. The regional trainer provided a written statement that all employees at PALMETTO YA have received the required PREA training. Additionally, the corporate trainer provided a statement indicating that all employees at Palmetto had received the required PREA training. The In-service curriculum was also reviewed showing PREA training which was taught for one hour with both Pre- and Post-test scores recorded. Staff interviews also served to further validate that training occurred. **The training curriculum provided was consistent with the elements of 115.331(a) except for numbers 6 and 11.**

PALMETTO YA school teachers are provided by the Manatee County School Board and under F39.201, school teachers and other school official or personnel are mandated reporters. Documentation showed that PALMETTO YA school personnel signed a form declaring that they are aware of the sexual abuse/assault policies governed by G4S Youth Services, LLC, the Florida Department of Juvenile Justice and PREA and that they have read and understand those policies.

As of February 2, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.332 - Volunteer and contractor training

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

Does Not Meet Standard (requires corrective action)

PALMETTO YA Policy requires that all persons providing volunteer or contractor services at PALMETTO YA be trained at a minimum on the agency's zero-tolerance policy regarding sexual abuse and harassment and how to report such incidents. Additional training provided to volunteers and contractors is based on the service they provide and the level of contact they have with residents.

Contractors such as psychiatrist and medical doctor sign the Acknowledgement of the Prison Rape Elimination Act form declaring they have been informed and understand that PALMETTO YA has a zero tolerance and that sexual contact of any kind is forbidden, the possible penalties for such behaviors, and that they have a duty to report.

Standard 115.333 - Resident education

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

PALMETTO YA Policy 10-25 requires that during intake all residents will be provided with information on zero-tolerance regarding sexual misconduct including how to report sexual abuse and suspicion of any sexual misconduct. Policy also requires that within 10 days of intake, all residents will be provided with additional comprehensive training regarding their rights to be free from sexual misconduct; their right to be free from retaliation for reporting; and the agency's sexual misconduct response policies and procedures. As a part of the training, residents are given a handout entitled, "You Have the Right to Be Safe" from Sexual Violence.

The handout provides information on preventing, detecting, and responding to sexual assault and harassment. At the end of the training session residents acknowledge through signature that they understand their right to be Safe from Sexual Misconduct, Abuse, and Harassment. Interviews with 6 residents (two from each living unit) validated that they receive education at intake and later. Interviews with intake and clinical staff verified that youth are provided with PREA required education in individual sessions with staff the day they arrive at the facility.

During the tour of the facility, posters outlining the sexual abuse zero tolerance policy, duty to report, and instructions for reporting, were viewed in various locations including the living units; however, the posters are letter size and only visible from a short distance.

Documentation for 115.333 (d)-1 was not made available to the auditor. Larger sized posters would likely provide for better visibility.

As of January 8, 2015 the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.334 - Specialized training: Investigations

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

Not Applicable

PALMETTO YA does not employ facility investigators. Investigations are referred to outside agencies.

Standard 115.335 - Specialized training: Medical and mental health care

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

PALMETTO YA Policy 10-25 and FDJJ Policy 1919 mandates training for medical and mental health workers consistent with section (a) of this policy.

Documentation provided indicated that mental health staff Phil Quinn and Ali Talenti had specialized training. However, **mental health staff George Simon and Adam Horwitz had not received any specialized PREA training, nor had medical staff Carla Helm, nor Mark Singletary.**

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.341 - Screening for risk of victimization and abusiveness

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

PALMETTO YA Policy 9-1 describes the process staff is to use for screening for Vulnerability to Victimization and Sexual Aggressive Behavior (VSAB). Within 24 hours of a resident's arrival at the facility, trained staff meets with residents and complete the VSAB form. The instrument is scored prior to housing placement. Those residents who score vulnerable to victimization or sexually aggressive are included in the alert system, and referred for further assessments, as identified. Residents who are identified or report as prior sexual victims are referred to the medical and mental health professionals within 14 days. Interviews with the clinical director and PREA Compliance Manager confirmed that policy is in practice and that information from the VSAB is disseminated on a "Need to Know" basis.

The screening for vulnerability to sexual victimization and sexual aggressive behavior instrument met the 11 minimum required elements outlined in section (c) of the standard. An examination of resident records indicated that the practice is followed.

Standard 115.342 - Use of screening information

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

PALMETTO YA Policy 10-25 states that the information gathered from screening for vulnerability to sexual victimization and abusiveness shall be to guide treatment plans and security and management decisions, including housing bed, work, education, and program assignments. Policy 10-18 directs PALMETTO YA staff to maintain a continually updated internal alert system that is easily accessible to program staff and keeps them alerted about youth who are security or safety risks in multiple categories including sexual predator risks. Facility tour and interviews with staff verify compliance.

PALMETTO YA Policy 8-14.5 directs staff in the treatment of LGBTI residents consistent with those outlined in sections (c) through (g) of this standard. Interviews with staff indicated they are aware of the policy and would comply.

Standard 115. 351 - Resident Reporting

Exceeds Standard (substantially exceeds requirement of standard)

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

Does Not Meet Standard (requires corrective action)

PALMETTO YA Policy 8.3.4 (B) Abuse and Neglect Reporting – states that all youth shall have unimpeded access to the Florida Abuse Hotline without interference or retaliation of any kind and further outlines in detail that residents are to be provided with the Abuse hotline number which is provided at intake, included in the resident handbook and posted throughout the facility. A review of FDJJ Quality Improvement Report in February of 2014 indicates that Hotline numbers are posted and given to residents.

PALMETTO YA provides instruction and multiple ways for residents to report sexual abuse and harassment including telling a staff member, writing a grievance, asking to speak with the Facility Administrator, calling the Florida Abuse Hotline. A review of the resident guide indicates several hotline numbers that can be called and includes their numbers; however, these numbers were not posted in other locations in the facility.

Staff and residents validated that they have access to the tools necessary to make a report. Also, policy outlines procedures for staff to follow when a youth desires making a report including assisting the youth by dialing the number. However, **staff interviews revealed conflicting ways for residents to access the hotline number.**

Interviews with staff validated that they would accept and document reports made verbally, in writing, anonymously, and from third parties.

PALMETTO YA is not compliant with section (b) of the standard because it does not provide at least one way for residents 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 resident reports of abuse and harassment to agency officials allowing the resident to remain anonymous upon request. In order to use the hotline, residents must request staff permission. Staff must then take the resident to a phone, dial the number and monitor the call, compromising the confidentiality requirement.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.352 - Exhaustion of administrative remedies

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

PALMETTO YA Polices 8-4 and 10-25 failed to address procedural issues for residents to submit grievances alleging sexual abuse without submitting it to the staff member who is the subject of the complaint nor should it be referred to the staff member who is the subject of the complaint. Additionally, policies do not address third party grievances or emergency grievances with appropriate timelines.

During the past 12 months no sexual abuse grievance was filed. Interviews with residents validated their knowledge of how to file a grievance for sexual abuse or harassment. During the facility tour a locked grievance box was visible in the living unit.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.353 - Resident access to outside confidential support services and legal representation

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

PALMETTO YA has no MOUs or other agreements establishing or attempting to establish a relationship with community service providers that are able to provide residents with emotional support services related to sexual abuse.

Residents are not provided reasonable confidential communication between residents and outside victim advocates. A resident wanting to call 1-800 hotline must make a request to staff, staff places call and remains with resident during conversation between resident and advocate.

PALMETTO YA does not detain residents solely for immigration purposes.

Interviews with residents and observations of posting in the facility suggest **PALMETTO YA does not provide mailing addresses and telephone numbers of local or national victim advocacy or rape crisis organizations.**

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.354 - Third-party reporting

- Exceeds Standard (substantially exceeds requirement of standard)

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

PALMETTO YA does not provide a method that is publically distributed on how to receive third-party reports of resident sexual abuse or sexual harassment on behalf of the residents.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.361- Staff and agency reporting duties

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

The employees at PALMETTO YA are mandatory reporters and PALMETTO YA Policy 10-25 directs staff to immediately report any abuse, knowledge, suspicion or information they receive regarding an incident of sexual abuse or sexual harassment. Policy also directs staff to report any retaliation against residents or other staff who reported an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident of abuse or retaliation. PALMETTO YA policies further direct staff in complying with the elements outlined in sections (b) through (f) of this standard. Interviews with Health Services Coordinator, Facility Administrator/PREA Compliance Manager, and random selected staff served to validate that the staff are aware of the policies and their duty to report.

Standard 115.362 - Agency protection duties

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

PALMETTO YA Policy 10-25 requires that when staff learns that a resident is subject to a substantial risk of imminent sexual abuse it shall take immediate action to protect the resident from harm or further threat. During the past 12 months no residents were identified to be of such risk. Interviews with the Agency Head Designee, Facility Administrator/PREA Compliance Manager and random sample of staff validated that staff is aware of their mandate to immediately take steps necessary to keep the resident safe.

Standard 115.363 - Reporting to other confinement facilities

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

PALMETTO YA policy does not address the requirement of facility upon receiving an allegation that a resident was sexually abused while confined at another facility, that the head of the facility receiving the allegation shall notify the head of the facility where the alleged abuse occurs, and also notify the appropriate investigative agency. Notification should be provided no later than 72 hours with notification being documented.

During the past 12 months PALMETTO YA staff did not receive any reported allegations that a PALMETTO YA resident was abused while confined at another facility. Likewise, PALMETTO YA did not receive any reports of allegations of sexual abuse from other facilities that residents previously confined at PALMETTO YA were sexually abused.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.364 - Staff first responder duties

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

PALMETTO YA policy 10-25 (dated 4-25-2014 supersedes 10-01-2013) does not direct staff first responders to take specific steps of requesting victim of alleged sexual abuse that occurred within a time period that still allows for collection of physical evidence not to take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. Also steps should be taken to ensure that alleged abuser does not take any the above actions that could destroy physical evidence.

During the past 12 months PALMETTO YA had 1 allegation that a resident was sexually abused or harassed and in no instance was a non-security staff member the first responder.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.365 - Coordinated response

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

PALMETTO YA facility does not have a coordinated response plan that clearly states specific duties of responding staff and in what order, to include interface with investigators and follow up responsibilities as outlined in the Standard.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.366 - Preservation of ability to protect residents from contact with abusers.

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

Palmetto Youth Academy does not participate in collective bargaining.

Standard 115.367 - Agency protection against retaliation

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

PALMETTO YA Policies 10-25 and 8-3 establish that residents and staff are to be protected from retaliation for reporting sexual abuse or harassment and/or cooperating with investigations of sexual abuse and harassment. The monitoring will take place for a period of at least 90 days and at each 30 day interval the Facility Administrator/PREA Compliance Manager will determine if retaliation is occurring by reviewing such items as disciplinary reports, status checks, housing or program changes, and negative performance reviews or staff reassignment. There were no incidents of retaliation in the past 12 months reported.

Standard 115.368 - Post allegation protective custody

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

PALMETTO YA physical plant design includes two isolation/segregated housing rooms in the intake area; however, they are not utilized by the facility and are currently used for storage. These rooms are not covered by camera observation.

Standard 115.371 - Criminal and administrative agency investigations

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

PALMETTO YA does not employ facility investigators. All allegations of abuse are reported to the Florida Department of Children and Families, the Manatee County Sheriff's Office, and the FDJJ Office of the Inspector General – Central Communications Center.

The PREA Coordinator was interviewed and indicated she has access to reports and comments on them for the agency.

Standard 115.372 - Evidentiary standards for administrative investigations

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

PALMETTO YA does not conduct administrative investigations. All allegations of abuse are reported to FDJJ Office of the Inspector General – Central Communications Center. Staff from the Inspector General's office conducts the administrative investigation and provides a report back to PALMETTO YA.

Standard 115.373 - Reporting to residents

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

PALMETTO YA policy 10-25 does not require notification of victim after completion of investigation of alleged sexual abuse by another resident or staff member (unless allegation is determined to be unfounded) and notification shall be documented.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.376 - Disciplinary sanctions for staff

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

PALMETTO YA Policy 10-25 states that sexual activity between staff and youth, as well as between youth is prohibited and subject to administrative and criminal disciplinary sanctions. The policy also mandates that violations be reported to law enforcement.

The G4S Employee Handbook makes clear that employee sexual harassment is prohibited and when an allegation is substantiated, disciplinary action up to and including termination will be imposed.

During the past 12 months no staff from PALMETTO YA has been terminated or resigned for violating agency sexual abuse or harassment policies. At the time of the audit, no PALMETTO YA staff has been reported to law enforcement or licensing boards for violating agency sexual abuse and sexual harassment policies.

Standard 115.377 - Corrective Action for contractors and volunteers

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

PALMETTO YA has no policy that requires any contractor or volunteer who engages in sexual abuse to be reported to law enforcement agencies and to relevant licensing bodies.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.378 - Disciplinary sanctions for residents

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

During the past 12 months there has been no administrative finding of resident-on-resident sexual abuse; and no criminal finding of guilt for resident-on-resident sexual abuse at PALMETTO YA. Interviews with the Facility Administrator, medical, and mental health staff verified that residents are informed that in the event of such findings charges would be pressed and if not prosecuted, then the Treatment Team would make a decision for any necessary treatment modification.

Standard 115.381 - Medical and mental health screenings; history of sexual abuse

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

PALMETTO YA Policy 10-25 requires that if during intake screening, health/mental health screening, or health history, a resident discloses prior sexual victimization or perpetrated sexual abuse, whether it occurred in a facility setting or in the community, staff shall ensure the youth is referred for medical and mental health services within 14 day of the screening. Policy also mandates that sensitive information shall be on a need-to-know basis and shall not be exploited to the resident's detriment by staff or other residents. There were no residents who disclosed prior victimization during their initial screening process. Interviews with the medical and mental health staff and documentation review verified compliance with this standard.

Standard 115.382 - Access to emergency medical and mental health services

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

PALMETTO YA Policy 7-30 requires that residents who are victims of sexual assault shall have immediate medical care. There were no sexual assault victims during the past 12 months. The medical personnel verified that any sexual assault victim would be provided unimpeded access to emergency medical treatment immediately; according to the medical personnel's professional judgment, the victim would be offered timely information about access to sexually transmitted infection prophylaxis; and that the services would be provided without cost to the victim.

Standard 115.383 - Ongoing medical and mental health care for sexual abuse victims and abusers

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

PALMETTO YA Policy 10-25 mandates ongoing medical and mental health care for sexual abuse victims and abusers to include mental health evaluations and services as appropriate and medical health care services consistent with the community level of care. There has not been any sexual abuse victim during the last 12 months. Interviews with the medical personnel and Clinical Director verified that there are procedures in place compliant with the requirements of this standard.

Standard 115.386 - Sexual abuse incident reviews

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

PALMETTO YA Policy 10-25, page eight mandates that the facility shall create a Review Team with specific staff consistent with those outlined in section (c) of the standard. The policy further mandates that the Review Team shall ordinarily conduct the incident review within 30 days of the conclusion of every sexual misconduct investigation or administrative review. Page nine of the policy outlines the specifics of the Review Team's duties the same as those in section (d) of the standard; and directs that Review Team recommendation must be implemented or justification provided for not implementing the recommendations. Interview with Facility Administrator/PREA Compliance Manager verified that the facility is in compliance with this standard.

Standard 115.387 - Data collection

- Exceeds Standard (substantially exceeds requirement of standard)

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

PALMETTO YA provided no information or documentation that indicated collection of data addressed in the Standard.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.388 Data review for corrective action

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

PALMETTO YA provided no information that indicated the existence of a document that contained review of data collected as addressed in the Standard.

As of January 8, 2015, the policies, procedures, and practices developed by the agency are now in compliance with the standard.

Standard 115.389 Data storage, publication and destruction

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

PALMETTO YA Policy 10-25 directs that the facility shall ensure records are maintained and the Facility Administrator shall ensure that requests for additional information from the FDJJ PREA Coordinator are responded to in a timely manner.

No additional information was provided.

Any questions about PREA standards, required documentation or process please refer to the PREA Resource Center website under Juvenile Standards.

AUDITOR CERTIFICATION:

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



February 2, 2015

Auditor Signature

Date