

PREA Audit: Subpart B Short-Term Holding Facilities Audit Report



U.S. Customs and
Border Protection

AUDITOR INFORMATION

Name:	(b) (6), (b) (7)(C)	Company Name:	Creative Corrections, LLC
Mailing Address:	(b) (6), (b) (7)(C)	City, State, Zip:	Beaumont, TX 77706
Email Address:	(b) (6), (b) (7)(C)	Telephone Number:	(b) (6), (b) (7)(C)

AGENCY INFORMATION

Name of Agency:	U.S. Customs and Border Protection
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PROGRAM OFFICE

Name of Program Office:	Office of Field Operations
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SECTOR OR FIELD OFFICE

Name of Sector or Field Office:	Buffalo, NY
Name of Chief or Director:	(b) (6), (b) (7)(C)
PREA Field Coordinator:	(b) (6), (b) (7)(C)
Physical Address:	726 Exchange Street, Suite 400, Buffalo, NY 14210
Mailing Address: (if different from above)	

SHORT-TERM HOLDING FACILITY BEING AUDITED

Information About the Facility			
Name of Facility:	Lewiston Bridge Port of Entry (LB POE)		
Physical Address:	1 Lewiston Bridge Plaza, Lewiston, NY 14092		
Mailing Address: (if different from above)			
Telephone Number:	(b) (6), (b) (7)(C)		
Facility Leadership			
Name of Officer in Charge:	(b) (6), (b) (7)(C)	Title:	Port Director
Email Address:	(b) (6), (b) (7)(C)	Telephone Number:	(b) (6), (b) (7)(C)

telephones available are phones that need to be accessed through staff. There were no detainees being held at the time of the audit.

The Auditor examined PREA staff training records on the Acadis portal and randomly requested background checks for staff. Background information for [REDACTED] staff members was obtained after coordination with LB POE, Privacy and Diversity Office (PDO) Prevention of Sexual Assault (PSA) Coordinator, and HQ Human Resource Management (HRM). The PREA training for staff across the [REDACTED] POEs' were found to meet substantial compliance and the background checks were found to be in compliance.

At approximately 1500 hours on September 14, 2023, an exit briefing for the Prison Rape Elimination Act (PREA) was conducted by Certified PREA Auditor (b) (6), (b) (7)(C) from Creative Corrections. The exit briefing included LB POE, Peace Bridge POE, and Rainbow Bridge POE staff and other participants.

The attendees of the briefing included:

- (b) (6), (b) (7)(C), CBP Officer, Program Manager via TEAMS
- (b) (6), (b) (7)(C), WC
- (b) (6), (b) (7)(C), HQ PDO/PSA Coordinator
- (b) (6), (b) (7)(C), HQ PDO/Deputy PSA Coordinator via TEAMS
- (b) (6), (b) (7)(C), Program Manager, Creative Corrections, LLC via TEAMS

During the exit meeting, the Auditor discussed the observations made during the on-site audit. The Auditor provided preliminary findings of the audit and did not have any deficiencies to report, however, the auditor stated that a final determination would be made after a complete review of the interviews and standard requirements.

SUMMARY OF OVERALL FINDINGS:

Directions: Discuss audit findings to include a summary statement of overall findings and the number of provisions which the facility has achieved compliance at each level: Exceeds Standard, Meets Standard, and Does Not Meet Standard.

LB POE met 25 standards: 115.111; 115.113; 115.114; 115.115; 115.116; 115.117; 115.118; 115.121; 115.122; 115.131; 115.132; 115.141; 115.151; 115.154; 115.161; 115.162; 115.163; 115.164; 115.165; 115.166; 115.167; 115.176; 115.177; 115.182; and 115.186.

SUMMARY OF AUDIT FINDINGS	
Number of standards exceeded: 0	
Number of standards met: 25	
Number of standards not met: 0	
OVERALL DETERMINATION	
<input type="checkbox"/> Exceeds Standards (Substantially Exceeds Requirements of Standards)	<input checked="" type="checkbox"/> Low Risk
<input checked="" type="checkbox"/> Meets Standards (Substantial Compliance; Complies in All Material Ways with the Standards for the Relevant Review Period)	<input type="checkbox"/> Not Low Risk
<input type="checkbox"/> Does Not Meet Standards (Requires Corrective Action)	

PROVISIONS

Directions: In the notes, the auditor shall include the evidence relied upon in making the compliance or non-compliance determination for each provision of the standard, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet the standard. These recommendations must be included in the Corrective Action Plan Final Determination, accompanied by information on specific corrective actions taken by the facility. Failure to comply with any part of a standard provision shall result in a finding of "Does not meet Standard" for that entire provision, unless that part is specifically designated as Not Applicable. For any provision identified as Not Applicable, provide an explanation for the reasoning. If additional space for notes is needed, please utilize space provided on the last page.

§115.111(a) – Zero tolerance of sexual abuse; Prevention of Sexual Assault Coordinator.

- Exceeded 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)

Notes:

(a): The facility meets the standard provision. CBP Directive 2130-030 – Prevention, Detection and Response to Sexual Abuse and/or Assault in CBP Holding Facilities (dated 1/19/2018), Commissioner's Memorandum dated March 11, 2015, CBP Policy on Zero Tolerance of Sexual Abuse and Assault; Assistant Commissioners Memorandum, Office of Internal Affairs, dated July 15, 2015 Implementation of the Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Holding Facilities /Prison Rape Elimination Act (PREA); Assistant Commissioner's Memorandum, Office of Air and Marine dated July 25, 2014, Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault, CBP's Policy on Zero-Tolerance of Sexual Abuse and Assault; Acting Commissioner's memorandum dated August 12, 2014 referencing the Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in CBP Holding Facilities, provide LB POE staff CBP's zero tolerance of sexual abuse. During April's Sexual Assault Awareness and Prevention Month, the PDO Office disseminated CBP's Zero-Tolerance Policy for Sexual Abuse and Assault information to all employees via payroll notices and CBP Central. Zero-tolerance posters, conveying CBP's stance on sexual abuse and assault, are displayed in interview rooms, corridors, and search rooms in English and Spanish. "Report Sexual Assault" information is available in seven different languages to convey CBP's zero tolerance of sexual abuse. CBP has translated PREA posters for adults into 12 additional languages and 15 other languages for children. These posters can be accessed by the officers at CBP's internal website. Mandatory PREA training for staff is accessible through the [REDACTED] [REDACTED]. The training portal was previously in the Performance and Learning Management System (PALMS) training portal. The Acting HQ PDO/PSA stated there is sufficient time to provide guidance to the facilities on the agency's zero-tolerance policy. Local SMEs and officers demonstrated knowledge and understanding of the zero-tolerance policy, PREA standards, and reporting protocols. The agency has established policies and procedures for dissemination of CBP PREA standards to the public, staff, and detainees. Some staff members mentioned during interviews that the informative posters serve as helpful daily reminders for detainees on how to report.

§115.113(a) through (c) – Detainee supervision and monitoring.

- Exceeded 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)

Notes:

(a): The facility meets the standard provision. The standard requires that each facility maintain adequate levels of detainee supervision through appropriate staffing levels [REDACTED] (b) (7)(E) to protect detainees against sexual abuse. CBP TEDS requires LB POE officers to maintain continued supervision of detainees being held in the hold rooms. The Auditor observed the staff frequently checking on the detainees in the hold rooms, in at least 15-minute intervals. During the onsite visit, the Auditor observed [REDACTED] (b) (7)(E) Staff offices were located in this area. This setup enables officers to visually monitor detainees in the hold rooms, while the detainees themselves have a clear view of the officers continuously walking by. The Auditor verified that the officers in the processing area and [REDACTED] (b) (7)(E) provide adequate supervision of detainees. Each hold room contains seating and a partial privacy wall at the rear section for toilet usage.

(b)(c): The facility meets the standard provisions. CBP Directive 2130-030 states the guidelines for detainee supervision and their application at LB POE must undergo an annual review. The review should consider various factors such as the facility's physical layout, detainee composition, the occurrence of substantiated and unsubstantiated sexual abuse cases, findings and recommendations from incident reviews, and any other pertinent elements. The Directive also mandates that the results of this annual review be conveyed to the HQ PDO/PSA Coordinator. Local SMEs confirmed their ongoing reevaluation of supervision strategies, particularly when confronted with a surge in detainees. They stated that, during such influxes, staffing levels are adjusted by means of overtime or staff schedule modifications. The Auditor reviewed the annual review of detainee supervision guidelines which was conducted on January 23, 2023. The review was conducted by the Assistant Port Directors, Acting Assistant Port Director, Watch Commanders, Acting Watch Commanders, Chiefs, Acting Chiefs, and Supervisory CBP Officers. The Auditor's assessment of the review concluded LB POE maintains adequate detainee supervision in accordance with the required standards.

§115.114(a) and (b) – Juvenile and family detainees.

- Exceeded 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 (provide explanation in notes):

Notes:

(a): The facility meets the standard provision. CBP TEDS and the Acting Assistant Commissioner, Office of Field Operations memorandum dated August 12, 2014, titled "Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in CBP Holding Facilities", mandates that juveniles be held in the least restrictive setting appropriate for their age and special needs, in compliance with pertinent laws, regulations, and legal requirements. As reported in the local Pre-Audit Questionnaire (PAQ), the facility has detained juveniles within the past 12 months. Local SMEs and officers state all juveniles, whether they belong to family units or are identified as UC, are held in the least restrictive environment feasible with juveniles being held with their vetted families. There were no juveniles detained during the onsite audit, however staff reported that most juveniles are primarily within family units. Local SMEs and officers also reported that when hold rooms become overcrowded, juveniles are placed in areas where officers maintain continuous visual supervision. Officers confirm that when juveniles are brought into the facility, they are positioned in a hold room with unlocked doors, complete with provisions for food, snacks, and access to television, with the aim of ensuring their comfort.

(b): The facility meets the standard provision. CBP TEDS and a memorandum from the Acting Assistant Commissioner of the Office of Field Operations, dated August 12, 2014, titled "Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in CBP Holding Facilities," mandate the separation of UC from adult detainees. The memorandum and TEDS further specify that UCs may temporarily remain with non-parental adult family members, subject to a comprehensive vetting process and LB POE's determination of appropriateness within the context of the totality of circumstances. Local SMEs and officers reported that UCs are consistently kept separate from adults and are additionally segregated by gender. To minimize their proximity to adult detainees, UCs undergo immediate intake processing, by assessing if they may have experienced abuse, trafficking, or related issues through private interviews. The interviews with local SMEs and officers confirm that juveniles are immediately separated from accompanying adults unless a properly vetted and deemed appropriate relationship exists prior to detention. The vetting process involves comprehensive checks against agency and State Department databases, separate interviews with both the minor and the accompanying adult and examining accompanying documentation. Although there were no juveniles detained on the day of the audit, the Auditor was shown the designated juvenile hold room, resembling more of a waiting area with amenities including a bed, couch, TV, rug, and a chair. The room is spacious and designed for easy observation.

§115.115(b) through (f) – Limits to cross-gender viewing and searches.

- Exceeded 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)

Notes:

(b)(c): The facility meets the standard provisions. CBP TEDS details the type and conditions under which searches can be performed to ensure the safety of officers, civilians, and detainees. TEDS also requires all searches be conducted under the appropriate legal authority and standards as well as protecting detainee's legal rights and treating them with respect, dignity, and privacy. The policy further prohibits cross-gender partial body searches and cross-gender visual body cavity searches, except in exigent circumstances including consideration of officer safety, or when performed by medical practitioners. If such a search is required, the searches must be recorded in an electronic system of record. CBP TEDS details that officers must not conduct visual body cavity searches of juveniles and are to refer all body cavity searches of juveniles to a medical practitioner. Interviews with local SMEs and officers indicate that only medical personnel are authorized to perform strip or visual body cavity searches on juveniles. LB POE staff report that body cavity searches are prohibited at the facility. They also stated that the search is conducted by an officer matching the detainee's identified gender, whenever operationally feasible.

(d): The facility meets the standard provision. As outlined in CBP TEDS, officers will enable detainees to shower (where available), perform bodily functions, and change clothing without being viewed by staff of the opposite gender except in urgent situations or when such viewing is incidental to routine hold room checks or is otherwise appropriate with a medical examination or monitored bowel movement. CBP TEDS further requires all officers of the opposite gender to announce their presence when entering an area where detainees might be showering, attending to bodily functions, or changing clothes, unless in urgent situations or as part of routine inspections. There are no showers at LB POE. Local SMEs and officers state they announce their presence by knocking on the doors to notify detainees they are entering the hold room.

(e): The facility meets the standard provision. CBP TEDS prohibits staff from searching or physically examining a detainee for the sole purpose of determining the detainee's gender. If the detainee's gender is unknown, CBP TEDS states officers will ask the detainee their gender or gender identity and conduct the search accordingly. If the detainee declines to state their gender, the gender will be recorded as "unknown" in the appropriate electronic system(s) of record. Local SMEs and officers state they do not perform searches to determine a detainees gender and only perform searches based on the detainee's declared identity. No transgender detainees were present at the facility for interview.

(f): The facility meets the standard provision. CBP TEDS instructs staff to conduct searches in a professional, thorough, and appropriate manner that aligns with the specific type of search required. When operationally feasible, these searches should be performed by individuals of the same gender, gender identity, or as declared by the detainee. Officers at LB POE received a weekly muster titled "Professionalism when Processing Transgender Applicants for Admission". The document reminds staff of their responsibilities regarding the proper treatment of transgender individuals entering the U.S., emphasizing the commitment to treating all persons with dignity and respect. During interviews with officers, it was confirmed that they typically refrain from searching detainees of the opposite gender, unless there is an exigent circumstance. When required to conduct cross-gender pat-down searches, officers follow established training and guidelines. (b) (7)(E)

Both local SMEs and officers reported receiving training on how to perform pat-down searches, including cross-gender searches. Officers stated that they have never performed cross-gender pat-down searches, emphasizing that they search detainees based on the gender with which the detainee identifies.

§115.116(a) through (c) – Accommodating detainees with disabilities and detainees who are limited English proficient.

- Exceeded 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)

Notes:

(a): The facility meets the standard provision. CBP Directive 2130-030 mandates that staff ensure detainees with a range of disabilities, including hearing impairments, visual impairments, and intellectual or mental health disabilities, have access to CBP's sexual abuse and assault prevention, detection, and response programs. CBP TEDS outlines the requirement for providing reasonable accommodations to detainees with disabilities. Directive 2130-033, titled "Nondiscrimination for Individuals with Disabilities in CBP-Conducted Services, Programs, and Activities (Non-Employment)", effective date July 8, 2021, provides a job aid with guidance to staff on how to effectively communicate with individuals with disabilities. This job aid also defines various disability types and provides practical examples of addressing these disabilities. The pre-audit documentation submitted by LB POE, indicates that the facility had not detained any individuals with the disabilities specified above. Interviews with local SMEs and officers indicated they utilize various approaches to assist detainees with disabilities. They stated they assist detainees by reading PREA notices to those with visual impairments, providing written materials to individuals who are deaf, and using plain language for individuals with intellectual or mental health disabilities.

(b): The facility meets the standard provision. CBP Directive 2130-030 mandates holding facilities to ensure comprehensive, accurate, and impartial interpretation services for Limited English Proficient (LEP) detainees, which can be delivered either in person or via telephone. CBP TEDS stipulates that facilities must effectively convey instructions and pertinent information to detainees in their native language. Directive 2130-031, titled "Roles and Responsibilities of U.S. Customs and Border Protection Personnel Regarding Provision of Language Access", offers information and guidance for all CBP staff. During the on-site inspection, the Auditor noted the display of PREA posters in both English and Spanish, aimed at aiding detainees in communicating their language preferences to officers. CBP equips its officers with a mobile application installed on CBP-issued smartphones, enabling real-time language interpretation in the field and during processing. Local SMEs and officers confirmed they also utilize an established language line to provide telephonic interpretation to detainees. They further stated they also utilize officers in situations involving detainees who speak languages outside the team's immediate capabilities from other Buffalo, New York facilities to provide translation assistance.

(c): The facility meets the standard provision. CBP Directive 2130-030 prohibits the utilization of detainees as interpreters when handling cases of alleged or confirmed sexual abuse. To facilitate effective communication, CBP provides officers with the CBP Translate mobile application, accessible through their CBP-issued phones. Additionally, a phone-based translator is accessible during processing. During interviews with local SMEs and officers, they stated they refrain from engaging other detainees for interpretation needs, especially in instances related to sexual abuse or assault, ensuring strict adherence to this directive.

§115.117(a) through (f) – Hiring and promotion decisions.

- Exceeded 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)

Notes:

(a): The facility meets the standard provision. CBP Directive 2130-030 places the responsibility on HRM to ensure adherence to hiring, promotion, and disciplinary standards. According to HRM Standard Operating Procedures (SOP), the agency is prohibited from engaging the services of contractors or volunteers who might interact with detainees and have a history of sexual abuse in various institutional settings, including prisons, jails, holding facilities, community confinement facilities, juvenile facilities, or similar institutions. This includes individuals convicted of engaging or attempting to engage in sexual activity through force, coercion, or without consent, as well as those who have been civilly or administratively adjudicated for such actions. The Directive directs the Office of Acquisition to establish procedures and policies to prevent the hiring of contractors with a history of sexual abuse and/or assault. Prior to the on-site audit, the Auditor received documents, including a PREA Questionnaire for contractors and volunteers, which inquired about any history of sexual abuse and/or assault, whether related to criminal convictions, civil matters, or administrative adjudications. Contractors and volunteers are required to sign the questionnaire and acknowledge that providing false information could lead to unfavorable findings regarding their suitability for contractor or volunteer roles. They are also obligated to report any changes to their responses. LB POE does not employ any contractors or enlist the services of volunteers with direct contact with detainees. The contractors are employed by the Niagara Falls

Bridge Commission and do not have contact with detainees. An interview with the HQ HRM/Hiring Center SME confirmed awareness and compliance with these requirements. Additionally, an interview with the HQ Office of Professional Responsibility (OPR)/Personnel Security Division (PSD) SME affirmed that the agency conducts suitability assessments and screens out individuals who have engaged in or attempted sexual abuse, as mandated by the standard, by conducting FBI and NCIC checks. The LB POE does not enlist the services of volunteers and does not employ contractors who have direct contact with detainees. The Niagara Falls Bridge Commission employ contractors through Suburban Adult Services, Inc., and do not have contact with detainees.

(b): The facility meets the standard provision. HRM SOP states when hiring external applicants or promoting or reassigning internal candidates, HRM shall ask specific questions related to previous misconduct as stated in standard provision (a). This mission specific questions were provided to the Auditor prior to the onsite audit. The Auditor reviewed the questions and concluded they were specific to the standard. Interview with the HQ/HRM Hiring Center SME verified that new employees and those seeking promotion are obligated to complete a document indicating if they have a history of sexual misconduct. The HQ HRM/Hiring Center SME also stated employees have an affirmative duty to report any future instances of such misconduct.

(c)(d): The facility meets the standard provisions. CBP Directive 2130-030 outlines the imperative for background investigations of job applicants with potential detainee interactions and necessitates recurring background checks for CBP personnel in detainee-contact roles, occurring every five years. As part of the audit, the Auditor requested and reviewed a random sample of [REDACTED] background checks spanning various ranks at LB POE, which were subsequently submitted to HRM. A computer check by HRM was executed, confirming that LB POE adhered to the standard requirement. The Directive also indicates that contractors with responsibilities involving detainee interactions should undergo background investigations. However, at LB POE, contractors who provide cleaning, maintenance, or construction services do not have direct detainee interactions and are employed by the Niagara Falls Bridge Commission. Conversations with staff members affirmed this practice. An interview with the HQ PSD SME confirmed that comprehensive background checks and five-year reinvestigations are conducted for all employees. The OPR/PSD SME also noted the implementation of a real-time notification system providing any criminal activities.

(e): The facility meets the standard provision. An interview was conducted with the HQ HRM//Labor Employee Relations (LER) SME. The HQ HRM/LER SME confirmed offers of employment to potential employees can be revoked or the employment of existing employees can be terminated if they omit significant information or provide false details about sexual abuse misconduct. The HQ HRM/LER SME further stated staff members are informed of their responsibility to report any instances of sexual misconduct, false information, or significant omissions through the CBP Standards of Conduct, which is provided to staff upon employment and also addressed in their annual mandatory ethics training conducted via the [REDACTED] (b) (7)(E)

(f): The facility meets the standard provision. CBP Directive 2130-030 permits the disclosure of substantiated allegations of sexual abuse involving former employees in response to requests from prospective employers, provided there are no legal restrictions. The HQ HRM/LER SME confirmed the verification of this practice.

§115.118(a) and (b) – Upgrades to facilities and technologies.

- Exceeded 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 (provide explanation in notes):

Notes:

(a): The facility meets the standard provision. The facility noted in the local PAQ that there was an upgrade in the facility design since the last audit. During the last audit, the facility had already begun the expansion. SMEs stated they participated in the design and modifications. [REDACTED] (b) (7)(E). During the onsite inspection, it was apparent that the facility took PREA prevention and detection into account when assisting in the designing of the expansion.

(b): The facility meets the standard provision. LB POE (b) (7)(E). The interviews with the local SMEs confirmed that PREA supervision and privacy concerns were taken into consideration when (b) (7)(E) (b) (7)(E). (b) (7)(E).

§115.121(c) through (e) – Evidence protocols and forensic medical examinations.

- Exceeded 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)

Notes:

(c): The facility meets the standard provision. CBP TEDS and CBP Directive 2130-030 requires timely, unimpeded access to medical treatment and crisis intervention, including emergency contraception and sexually transmitted infections prophylaxis, be provided to a detainee victim of sexual assault in accordance with professionally accepted standard of care. The Directive also mandates the completion of a forensic medical examination be conducted by a Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE), or if a SAFE/SANE is not available that the examination be conducted by a qualified medical practitioner. (b) (7)(E)

(b) (7)(E) s designated to provide forensic examinations for sexual assault and/or abuse victims. The Auditor conducted telephonic calls with triage nurse from the hospital to confirm the availability of such services. The local SMEs verified the utilization of the hospital for detainees who are victims of sexual abuse. The local SMEs and the HQ PDO/PSA Coordinator confirmed LB POE did not receive any allegations of sexual abuse during the 12-month audit period.

(d): The facility meets the standard provision. CBP TEDS requires officers to facilitate access to victim advocacy services for detainee victims during hospital visits for forensic examinations linked to sexual abuse or assault. This is to be done to the extent possible and in compliance with security protocols. The Auditor ascertained through interview with the locals SME's that community-based sexual abuse advocates are readily accessible (b) (7)(E). These advocacy services are available during forensic medical examinations, and post-examination support is extended within the community to assist victims seeking help. Discussions with local SMEs provided confirmation that all sexual abuse victims are ensured access to victim advocacy services (b) (7)(E).

(e): The facility meets the standard provision. The HQ PDO/PSA Coordinator verified that, during the 12-month audit period, no reported cases of sexual abuse or assault occurred at LB POE. The HQ PDO/PSA stated there was a system in place to promptly report such incidents for timely investigations should they arise. The local SMEs interviewed informed us that in cases involving criminal matters, the Niagara Falls Police Department is designated as the law enforcement agency to handle the reports. LB POE provided a notification letter dated April 18, 2019, to the Niagara Falls Police Department, informing them of the PREA requirement standards they must adhere to. The HQ OPR/Sexual Abuse and Assault Investigator (SAAI) SME confirmed that the reporting responsibilities are structured to ensure comprehensive and unbiased investigations when needed.

§115.122(c) and (d) – Policies to ensure investigation of allegations and appropriate agency oversight.

- Exceeded 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)

Notes:

(c)(d): The facility meets the standard provision. CBP Directive 2130-030 obligates staff who possess knowledge, suspicion, or information concerning incidents of sexual abuse, assault, retaliation, or staff neglect to promptly report these occurrences to the Joint Intake Center (JIC) in holding facilities. Additionally, CBP Directive 3340-025F, dated November 21, 2021, titled "Reporting Significant Incidents to the CBP WATCH," specifies that all sexual abuse cases, whether during transport, processing, or detention are deemed significant incidents and must be reported. The CBP Watch serves as a 24/7 operational hub. Local SMEs and officers confirmed their commitment to report such incidents up the chain of command and to the JIC. They further stated, the on-duty supervisors would report to the Niagara Falls Police Department who is responsible for conducting criminal investigations if the allegation involves criminal

behavior. They stated they would also document the notification. The HQ OPR/SAAI SME stated they had a comprehensive oversight process for all allegations, involving a multi-layered review process. Initial discretion is exercised by DHS OIG, followed by the JIC. The HQ PDO/PSA Coordinator stated the JIC was responsible for notifying relevant offices regarding sexual abuse allegations or incidents. The HQ OPR/SAAI SME confirmed that all allegations are documented within their case management system.

§115.131(a) through (c) – Employee, contractor, and volunteer training.

- Exceeded 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)

Notes:

(a)(b)(c): The facility meets the standard provisions. CBP Directive 2130-030 mandates training for staff with potential detainee contact in CBP holding facilities. CBP provides training to staff on the agency's zero tolerance policies for all forms of sexual abuse; the right of the detainee or staff to be free from sexual abuse and from retaliation for reporting sexual abuse. The policy also provides definitions and examples of prohibited and illegal sexual behavior to include recognition of situations where sexual abuse may occur as well as recognition of physical, behavioral, and emotional signs of sexual abuse and the methods of preventing these occurrences. Staff also has been provided procedures for reporting knowledge or suspicion of sexual abuse as well as educating staff on effective communication with detainees who identify as LGBTQI+ individuals. CBP's internal PREA Resource Center also provides information, policies, and training aides to assist staff in maintaining an environment of zero tolerance of sexual abuse. All CBP personnel, including contractors and volunteers, must complete the "Preventing and Addressing Sexual Abuse and Assault of Individuals in CBP Holding Facilities" training bi-annually through the (b) (7)(E). The Auditor reviewed the training curriculum and confirmed that all required PREA training was included, as mandated by standard requirements. The Auditor reviewed training records in the (b) (7)(E) portal and noted that mandatory training had been conducted for all (b) (7)(E) staff, (b) (7)(E). The Auditor observed officers actively completing the training at the request of the WC. Local SMEs and officers, during interviews, confirmed they had received both initial and refresher PREA training through the (b) (7)(E). Pre-audit documentation indicated that LB did not enlist volunteers during the 12-month audit period. They further stated contractors did not have direct contact with detainees.

§115.132 – Notification to detainees of the agency's zero-tolerance policy.

- Exceeded 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)

Notes:

The facility meets the standard. During the onsite inspection, the local SMEs pointed out the posters that are displayed at their location with regards to the facility's zero tolerance of sexual abuse. Large print DHS Zero-Tolerance Policy posters with methods and contact information to report sexual abuse were visible in detainee hold rooms and processing areas. The posters were in English and Spanish which provided zero-tolerance information. CBP emphasizes its zero-tolerance approach to the public on its official website which is accessible via <https://www.cbp.gov/about/care-in-custody>. To ensure that detainees are well-informed, CBP has also developed posters that provide age-appropriate visuals depicting sexual abuse. They also developed informational display system slides and scripted materials emphasizing CBP's zero-tolerance against sexual abuse and assault, within CBP holding facilities. Each interview room and corridor feature both English and Spanish posters, which are visible from inside the hold rooms. Local SMEs and officers stated sexual abuse information can be obtained in different languages and also utilize the language line, if needed, to provide interpretation services.

§115.134 – Specialized training: Investigations.

- Exceeded 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 (provide explanation in notes):

Notes:

N/A – See the CBP Sexual Abuse Investigations Audit Report.

§115.141(a) through (e) – Assessment for risk of victimization and abusiveness.

- Exceeded 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)

Notes:

(a)(b)(c)(d): The facility meets the standard provisions. CBP TEDS establishes a requirement for conducting a thorough sexual assault risk assessment for all detainees before their placement in a hold room or holding facility. This evaluation takes into consideration various factors, including mental, physical, and developmental disabilities, age, physical stature, prior arrests or incarcerations, self-identification as LGBTI+ or gender non-conforming, history of sexual victimization, and individual safety concerns expressed by the detainee. Based on this assessment, the processing officer decides whether the detainee should be separated from specific individuals to ensure the safety of both the individual and the group. A memorandum dated August 12, 2014, addressed to all Directors of Field Operations, Preclearance Director, and the Office of Field Operations (OFO), reiterated the significance of conducting these risk assessments. Although there were no detainees present to observe the risk screening process, the local SMEs and officers, as confirmed during interviews, they ask the detainees questions to ensure the physical safety of the detainees. They further stated that following the completion of the assessment, detainees are assigned to a hold room that aligns with their security and safety requirements. The Auditor reviewed (b) (7)(E) random detainee risk assessments that had been recently conducted at LB POE and found the standard requirements were being met to ensure the safety of the detainees being held.

(e): The facility meets the standard provision. CBP TEDS mandates that staff conduct confidential risk assessments to avoid the risk of unauthorized access to sensitive information. The disclosure of this information is restricted and limited to individuals on a legitimate "need to know" basis. Local SME and officers interviews confirmed adherence to their policies and procedures. They further stated detainee data is securely maintained in an electronic system of record and only shared with staff members on a need-to-know basis.

§115.151(a) through (c) – Detainee reporting.

- Exceeded 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)

Notes:

(a): The facility meets the standard provision. CBP TEDS and CBP Directive 2130-030 requires that detainees should have a confidential means to report incidents of sexual abuse/assault, retaliation, staff neglect, or violations leading to sexual assault. The directive emphasizes the visibility and availability of procedures for reporting such incidents to include the information being accessible on the public CBP website. The "Keep Detention Safe" posters in the processing area contain telephone contact information for DHS OIG. An email dated February 2018 by CBP Central also provides CBP employees with links to review all policies and updates. DHS PREA Standards "In Focus", dated July 2022 prepared by HQ OPR/PDO was also provided to staff concentrating on this specific standard. It provides information for detainee reporting, defining sexual abuse, staff reporting, and additional tools and resources that staff can refer to. Interviews with officers and the local SMEs verified they were familiar with the different reporting methods.

(b): The facility meets the standard provision. CBP Directive 2130-030 specifies that the facility must ensure detainees have access to a confidential reporting method for sexual abuse, to include verbal and written communication with staff and the option of third-party reports to an external entity not affiliated with the agency. Interviews with local SMEs and officers confirm that detainees can report sexual abuse through verbal or written means to staff and provide them the right to request a private and anonymous telephone call to DHS OIG. Detainees are informed about these reporting options through posters displayed in the processing and holding areas. To verify the functionality of the anonymous telephone line, the Auditor conducted a test call to the number provided on the "Keep Detention Safe" poster. This test call successfully reached DHS OIG through a series of prompts. Staff further clarified that when a detainee requests to make a call to DHS OIG, access is granted, allowing them to dial the DHS OIG hotline number while ensuring privacy. The telephone is conveniently located in the officer's stations, providing the necessary privacy and confidentiality for these interactions.

(c): The facility meets the standard provision. Interviews with local SMEs and officers provided insights into staff members' awareness of reporting and documenting sexual abuse and assault allegations originating from third-party sources. Local SMEs and officers stated that any such allegations, regardless of how they are reported, are promptly conveyed to supervisors for immediate and suitable response. There have been no sexual abuse and/or assault allegations at LB POE during the 12-month audit period.

§115.154 – Third-party reporting.

- Exceeded 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)

Notes:

The facility meets the standard. CBP Directive 2130-030 advises staff that third parties can report sexual abuse on behalf of detainees, CBP has established public reporting procedures for sexual abuse of detainees, accessible at: <https://www.cbp.gov/about/care-in-custody>. The website offers a toll-free Joint Intake Center Hotline phone number, email address, and physical address, providing various reporting avenues to the Joint Intake Center. The website also provides the phone number, email address, and online reporting information for DHS OIG. Interviews with local SMEs and officers confirmed that third parties have access to different reporting methods. Officers also stated that in the event of receiving a third-party allegation, they would promptly notify their supervisor.

§115.161(a) through (d) – Staff reporting duties.

- Exceeded 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)

Notes:

(a)(b): The facility meets the standard provisions. CBP Directive 2130-030 establishes a mandate for all staff to promptly report any knowledge, suspicion, or information related to incidents of sexual abuse/assault, retaliation against those who report or participate in investigating such incidents, and any staff neglect or violations contributing to these incidents or retaliations. Supplementing this, Directive 3340-025F, titled "Reporting Significant Incidents to the U.S. CBP WATCH," provides guidance to officers on reporting sexual abuse/assault incidents through a 24/7 unified hub, ensuring immediate notification to all leadership. The Standards of Conduct also obligate staff to report various forms of misconduct and offer the necessary information to facilitate reporting. An Assistant Commissioner's memorandum, dated August 12, 2014, addressed to all Directors of Field Operations, Pre-Clearance Operations, and Office of Field Operations, emphasizes the importance of displaying reporting methods to the detainee population at LB POE. In interviews with officers, the Auditor confirmed that staff are well-informed about these responsibilities and are aware of the option to report outside the chain of command. Most officers indicated they are very comfortable informing their immediate supervisor or escalating the matter up the chain of command, or by contacting the Joint Intake Center (JIC) or DHS OIG.

(c): The facility meets the standard provision. CBP Directive 2130-030 mandates strict confidentiality regarding incident-related information, permitting disclosure only when essential for the detainee's assistance, safety of detainees

and staff, or security and management requirements. Local SME and officer interviews confirms that information on sexual assault incidents is shared on a "need-to-know" basis or during investigations. The HQ OPR/SAAI, during an interview stated that the agency has secure record-keeping practices in place.

(d): The facility meets the standard provision. Per CBP Directive 2130-030, CBP personnel are obligated to notify relevant agencies when a sexual assault victim falls into one of two categories: either they are under 18 years of age, or they are considered vulnerable adults. Local SMEs state that incidents of sexual assault involving victims under the age of 18 and vulnerable adults are reported by the WC under mandatory reporting laws.

§115.162 – Agency protection duties.

- Exceeded 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)

Notes:

The facility meets the standard. CBP TEDS requires that any agency employee, upon recognizing circumstances that place a detainee in immediate danger of sexual assault, must immediately implement protective measures to ensure the detainee's safety. Interviews with local SMEs and officers confirm that in cases where a detainee perceives such risk, immediate protective actions encompass isolation, continuous direct supervision (both visual and auditory), or a combination of these measures. Detainees would be promptly separated from others and closely monitored, following the directives of the on-duty supervisor. Officer interviews confirm that detainees at risk are accommodated in a dedicated hold room, allowing for enhanced monitoring. The hold room is in the rear section of the primary holding area which resembles a waiting room, featuring transparent walls that enable close observation.

§115.163(a) through (d) – Report to other confinement facilities.

- Exceeded 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)

Notes:

(a): The facility meets the standard provision. CBP Directive 2130-030 requires the notification of prior agencies or administrators if a detainee reports prior sexual abuse or assault from another facility prior to arriving at LB POE. An August 12, 2014, memorandum, issued by the Acting Assistant Commissioner of the Office of Field Operations, attached a Memorandum from the Commissioner regarding CBP's Zero Tolerance Policy for Sexual Abuse. The attached memorandum instructs officers to inform their immediate supervisors upon receiving a sexual abuse allegation from another facility and requires supervisors to contact the relevant office of the agency or the facility administrator where the alleged abuse occurred to report the allegation. In interviews with local SMEs, it was confirmed that such reports would be promptly reported and documented. The SMEs also verified that LB POE had not received any sexual abuse and/or assault allegations during the 12-month audit period.

(b): The facility meets the standard provision. CBP Directive 2130-030 requires the reporting of sexual assault and/or abuse allegations within 72 hours. The Acting Assistant Commissioner's memo directs supervisors to make notifications as soon as possible but no later than 72 hours. Local SMEs stated they would immediately report the sexual abuse and within the 72-hour timeframe as mandated by the Directive.

(c): The facility meets the standard provision. The Acting Commissioners memorandum directs supervisors to document the notification made to office of the agency or administrator of the facility where the alleged assault occurred. An interview was conducted with the WC who stated notifications would immediately be made and documented by the on-duty supervisor.

(d): The facility meets the standard provision. Local SMEs confirm LB POE's compliance with CBP Directive 2130-030 reporting requirements. No notifications of this nature were received in the past 12 months. However, they asserted their commitment to making appropriate notifications as if the incident happened at LB POE, should such an event

occur. If an external entity reported an alleged sexual abuse incident at LB POE, the SMEs assured that they would promptly report it to JIC and ensure the allegation is referred for investigation.

§115.164(a) and (b) – Responder duties.

- Exceeded 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)

Notes:

(a): The facility meets the standard provision. CBP Directive 2130-030, along with PREA training on the Acadis portal, details the duties of first responders upon learning of detainee sexual assault. Staff have received PREA Quick Reference Cards for guidance. Local SMEs and officers interviewed demonstrated awareness of their first responder responsibilities, which include separating the alleged victim and abuser, securing the crime scene for potential evidence collection, and instructing the victim and directing the abuser to refrain from actions like eating, drinking, using the toilet, or damaging clothing with possible physical or forensic evidence.

(b): The standard provision is not applicable. At LB POE, only law enforcement officers have direct contact with detainees. Interviews with local SMEs and officers affirmed their knowledge of reporting and responding to sexual abuse and assault. They clarified their immediate responsibilities upon encountering or receiving such reports as notifying their supervisor without delay. No allegations of sexual abuse or assault have occurred at LB POE. Staff also discussed their response protocols, which include separating the alleged victim and abuser, preserving the crime scene by requesting the victim and directing the abuser to refrain from actions that are incidental to a sexual abuse investigation.

§115.165(a) through (c) – Coordinated response.

- Exceeded 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)

Notes:

(a): The facility meets the standard provision. As outlined in CBP Directive 2130-030 is the agency's coordinated institutional plan for prevention, detection, and response to sexual abuse and/or assault. The Directive offers a comprehensive and a progressive strategy for handling sexual abuse within holding facilities. On August 15, 2022, CBP introduced a job aid outlining first responder responsibilities pertaining to sexual assaults involving detainees. This includes instances of detainee-on-detainee sexual assault, as well as sexual assault involving an employee, contractor, or volunteer. The job aid also covers first responder duties, notification procedures for investigations, forensic medical examinations, and incident reporting.

(b)(c): The facility meets the standard provisions. CBP Directive 2130-030 mandates the LB POE staff to inform another DHS facility when transferring a victim of sexual abuse/assault, with notification made by the LB POE WC or designated supervisor. This notification should include details of the detainee's medical and social service requirements, as confirmed by local SME interviews. In cases where a victim is transferred from a DHS holding facility to a non-DHS facility, LB POE, unless requested otherwise by the victim or prohibited by law, shall notify the receiving facility regarding the incident and the potential need for medical or social services. This notification is also the responsibility of the LB POE WC or designated supervisor.

§115.166 – Protection of detainees from contact with alleged abusers.

- Exceeded 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)

Notes:

The facility meets the standard. CBP Directive 2130-030 give directions to LB POE management to promptly remove LB POE officers from detainee contact in response to allegations of sexual abuse, pending investigation or as warranted by

the severity or plausibility of the situation. Interviews with local SMEs confirmed the agency's policy that mandates officer removal during investigations involving alleged sexual abuse/assault or policy violations. LB POE further ensures detainee protection during custody by prohibiting contractors and volunteers from having direct contact with detainees. Interviews with HQ HRM/LER SMEs clarified that officers supervise contact between contractors and detainees, with contractors not having direct contact with detainees as per the LB POE PAQ questionnaire. However, LB POE does not employ contractors who have contact with detainees nor does it enlist the services of volunteers. Local SMEs reported no allegations of sexual abuse during the 12-month audit period, and the HQ PDO/PSA Coordinator confirmed that LB POE had no reported incidents of sexual abuse or assault during the same period.

§115.167 – Agency protection against retaliation.

- Exceeded 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)

Notes:

The facility meets the standard. CBP TEDS forbids retaliation by CBP staff against individuals, including detainees, who report mistreatment or non-consensual sexual activity. Directive 51735-013B, "Standards of Conduct," effective from December 9, 2020, also prohibits retaliation, sexual abuse, or assault of detainees. Local SMEs confirmed policy implementation, and officers interviewed had a good understanding of the Directive's anti-retaliation stance. They stated receiving training on detecting retaliation signs and stated they do not endorse or tolerate any form of retaliation.

§115.171 – Criminal and administrative investigations.

- Exceeded 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 (provide explanation in notes):

Notes:

N/A – See the CBP Sexual Abuse Investigations Audit Report.

§115.172 – Evidentiary standard for administrative investigations.

- Exceeded 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 (provide explanation in notes):

Notes:

N/A – See the CBP Sexual Abuse Investigations Audit Report.

§115.176(a) and (c) through (d) – Disciplinary sanctions for staff.

- Exceeded 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 (provide explanation in notes):

Notes:

(a): The facility meets the standard provision. CBP Directive 2130-030 outlines the potential disciplinary actions for CBP personnel found in violation of sexual abuse/assault policies, which may lead to their removal from their position and Federal Service. CBP Directive 51735-013B, Standards of Conduct, also warns all CBP personnel about the likelihood of disciplinary consequences for substantiated allegations related to sexual abuse and/or assault. HQ OPR/SAAI SME and HQ HRM/LER SME confirmed that staff facing substantiated complaints in these areas could face disciplinary measures, with termination being the presumptive disciplinary sanction for staff who have engaged in sexual abuse.

(c): The agency meets the standard provision. In the interview with the HQ PDO/PSA Coordinator, there were no reported cases of sexual abuse at LB POE in the past 12 months. The HQ OPR/SAAI SME interview confirmed that any sexual abuse allegations are promptly relayed to local law enforcement, with HQ OPR/SAAI personnel managing notification coordination.

(d): The agency meets the standard provision. The HQ OPR/SAAI SME confirmed that the agency would report disciplinary findings to relevant licensing bodies and law enforcement authorities.

§115.177(a) and (b) – Corrective action for contractors and volunteers.

- Exceeded 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)

Notes:

(a)(b): The facility meets the standard provision. LB POE does not use volunteers or contractors with direct detainee contact. CBP Directive 2130 and the Zero-Tolerance of Sexual Abuse and Assault Policy specify potential disciplinary actions for CBP contractors and volunteers in the event of substantiated allegations of sexual abuse, sexual assault, or violation of CBP's sexual abuse policies. These measures can include removal from their roles or volunteer positions. The HQ OPR/SAAI SME and the HQ OFO SME confirmed that all contractors and volunteers would face suspension from detainee interaction while investigations into sexual abuse and/or assault allegations are ongoing. The HQ OPR/SAAI SME further emphasized that any substantiated sexual abuse allegations would be reported to the appropriate law enforcement agencies by the WC or their designee. The Office of Acquisition would take steps to bar the contractor from federal services, and the HQ OPR/SAAI staff would inform relevant licensing bodies. During the Auditor's interviews with local SMEs, they affirmed the practice of removing contractors or volunteers from detainee interaction during ongoing investigations.

§115.182(a) and (b) – Access to emergency medical services.

- Exceeded 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)

Notes:

(a)(b): The facility meets the standard provisions. According to accepted standards of care, alleged sexual assault victims must receive prompt and unimpeded access to emergency medical care and crisis intervention services, including emergency contraception and sexually transmitted infections prophylaxis. As per CBP Directive 2130-030, victims of alleged sexual assault must promptly access emergency medical care, including crisis intervention, emergency contraception, and prophylactic measures against sexually transmitted infections, adhering to accepted care standards. The directive stipulates that alleged victims should receive medical care without charges, irrespective of their cooperation in identifying the alleged perpetrator or participating in investigations. In the case of sexual assault and/or abuse at LB POE, detainee victims are promptly transported to (b) (7)(E) Medical Center where comprehensive services are provided. These services are offered free of charge to detainees, even if they do not cooperate with the sexual abuse and/or assault investigation. The Auditor confirmed this by contacting (b) (7)(E) Medical Center and confirming the availability of SAFE and SANE exam nurses for detainees. Local SME interviews corroborated that these services are offered without charge, regardless of the victim's cooperation in the investigation.

§115.186(a) – Sexual abuse incident reviews.

- Exceeded 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)

Notes:

The facility meets the standard. CBP Directive 2130-030 requires a sexual abuse incident review to take place within 30 days after each sexual abuse and assault investigation (excluding unfounded cases). This review evaluates whether the allegation or investigation warrants policy or practice adjustments for the prevention, detection, or response to sexual abuse. The local SME indicated that the LB POE WC would implement recommendations from the Incident Review Committee (IRC). If any identified improvement recommendations from the review are not followed, they must be either implemented or explained through documented responses. The HQ PDO/PSA clarified that the Incident Review Committee (IRC) consists of (b) (7)(E) CBP HQ Program Managers and the local PREA Field Coordinator. The HQ PDO/PSA Coordinator further reported that in the event of a sexual abuse or assault investigation, the IRC would convene within 30 days after the investigation's conclusion to compile a report summarizing its findings.

§115.187 – Data collection.

- Exceeded 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 (provide explanation in notes):

Notes:

N/A – See the CBP Sexual Abuse Investigations Audit Report.

ADDITIONAL NOTES

Directions: Please utilize the space below for additional notes, as needed. Ensure the provision referenced is clearly specified.

None.

AUDITOR CERTIFICATION:

I certify that the contents of the report are accurate to the best of my knowledge and no conflict of interest exists with respect to my ability to conduct an audit of the agency under review. I have not included any personally identified information (PII) about any detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.

(b) (6), (b) (7)(C)

Auditor's Signature

December 19, 2023

Date