

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



U.S. Customs and  
Border Protection

## AUDITOR INFORMATION

<b>Name:</b>	(b) (6), (b) (7)(C)	<b>Company Name:</b>	Creative Corrections, LLC
<b>Mailing Address:</b>	(b) (6), (b) (7)(C)	<b>City, State, Zip:</b>	(b) (6), (b) (7)(C)
<b>Email Address:</b>	(b) (6), (b) (7)(C)	<b>Telephone Number:</b>	(b) (6), (b) (7)(C)

## AGENCY INFORMATION

<b>Name of Agency:</b>	U.S. Customs and Border Protection
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## PROGRAM OFFICE

<b>Name of Program Office:</b>	Office of Field Operations
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## SECTOR OR FIELD OFFICE

<b>Name of Sector or Field Office:</b>	Buffalo
<b>Name of Chief or Director:</b>	(b) (6), (b) (7)(C)
<b>PREA Field Coordinator:</b>	(b) (6), (b) (7)(C)
<b>Physical Address:</b>	300 Airborne Parkway, Suite 300, Buffalo, NY 14225
<b>Mailing Address: (if different from above)</b>	

## SHORT-TERM HOLDING FACILITY BEING AUDITED

<b>Information About the Facility</b>			
<b>Name of Facility:</b>	Alexandria Bay Port of Entry		
<b>Physical Address:</b>	46735 I-81, Alexandria Bay, NY 13607		
<b>Mailing Address: (if different from above)</b>			
<b>Telephone Number:</b>	(b) (6), (b) (7)(C)		
<b>Facility Leadership</b>			
<b>Name of Officer in Charge:</b>	(b) (6), (b) (7)(C)	<b>Title:</b>	Acting Port Director
<b>Email Address:</b>	(b) (6), (b) (7)(C)	<b>Telephone Number:</b>	(b) (6), (b) (7)(C)

## AUDIT FINDINGS

### NARRATIVE OF AUDIT PROCESS AND DESCRIPTION OF FACILITY CHARACTERISTICS:

**Directions:** Discuss the audit process to include the date(s) of the audit, names of all individuals in attendance, audit methodology, description of the sampling of staff and detainees interviewed, description of the areas of the facility toured, and a summary of facility characteristics.

The Prison Rape Elimination Act (PREA) on-site audit of Customs and Border Protection (CBP) Office of Field Operations (OFO) Alexandria Bay (AXB) Port of Entry (POE) was conducted on March 26, 2024, by (b) (6), (b) (7)(C), a Certified PREA Auditor, contracted through Creative Corrections, LLC., of Beaumont, Texas. Alexandria Bay POE is a short-term processing and holding area for male and female adults, Unaccompanied Children (UC), and family units. Detention time is normally not longer than 24 hours depending on the voluntary removal to their point of origin, detention, or transfer of inadmissible detainees.

The purpose of the audit was to determine compliance with Subpart B of the Department of Homeland Security (DHS) PREA Standards. The on-site audit followed the Auditor's electronic review of CBP's PREA policies and procedures and telephonic interviews with CBP Headquarters (HQ) Subject Matter Experts (SMEs). The Auditor thoroughly reviewed relevant policies, procedures, and documents related to Alexandria Bay POE. During the on-site audit, the Auditor conducted interviews with randomly selected local SMEs and officers, reviewed training records, background checks, applicable logbooks, and conducted an onsite inspection to determine PREA compliance.

(b) (6), (b) (7)(C), Chief CBP Officer (Chief) and designated point of contact for Alexandria Bay POE greeted the Auditor upon 0500 arrival and then introduced the Auditor to the Alexandria Bay POE leadership team. The Auditor reviewed the audit format and schedule with each member of the team. Immediately following the entry introductions, the Auditor was provided a private conference room to begin conducting staff interviews to capture staff interviews from all shifts. Chief (b) (6), (b) (7)(C) acted as the point of contact throughout the audit. Interviews covered all shifts:

(b) (7)(E)

After the midnight shift interviews, Chief (b) (6), (b) (7)(C) guided the Auditor through a tour of Alexandria Bay POE's operations and facilities, including the primary screening stations for passengers and commercial vehicles. Notably, Alexandria Bay POE is located on an island which is connected by bridges and does not receive walking pedestrians often. Alexandria Bay POE consists of the main passenger building and a commercial passenger building, with a total of (b) (7)(E) hold rooms between the two buildings. The rooms are single or multiple occupancy with a standard capacity to hold (b) (7)(E) detainees. There are (b) (7)(E) multiple occupancy hold rooms and (b) (7)(E) single occupancy rooms for a total of (b) (7)(E). The unaccompanied children (UC) room has a half door that was locked, however, at the time of the audit there were no UC being held. The half door allows for a less restrictive setting. The family room is larger and visible through expansive glass panel windows. Offices and a conference room are in the main passenger building. The commercial building office and spaces were in limited use due to a health hazard with the air quality.

PREA posters were posted in all areas where detainees may enter or be held as well as in areas where staff work. In addition to English and Spanish, CBP has PREA posters for adults translated into 12 other languages and for children translated into 15 other languages for posting as needed. Alexandria Bay POE had all languages posted in all areas where detainees may be held. Detainee reporting posters were also observed during the tour by the Auditor. Telephones were tested to ensure the ability to contact the Department of Homeland Security Office of Inspector General (OIG). They were clearly visible in waiting areas, secure hallway, holding rooms, interview rooms, search rooms, and office spaces. There are no showers at Alexandria Bay POE available for detainees. At the time of the audit, there had not been any detainees held since March 9, 2024. The detainee was held for only twelve minutes. There has never been a sexual allegation at Alexandria Bay POE. Detainees are transferred to a detention facility in Batavia, New York, for longer detention. (b) (7)(E)

(b) (7)(E) offer a wide range of visibility into the hold rooms, except for the area concealed behind a privacy wall to ensure privacy for individuals performing bodily functions.

In the passenger/administrative building, there are several hold rooms serving different purposes. These include a juvenile hold room with a half-door dry cell, where detainees are escorted to nearby bathrooms. Additionally, there is a family unit hold room with see-through walls and doors, also equipped as a dry cell, with bathroom facilities nearby. The building also houses seven hold rooms, with two designated for searches. Each hold room, except for those designated for searches, features a toilet, bench, and sink, with capacity determined by the number of restraint rings on the wall. Outside each room are "IN USE" lights for visibility. Moreover, two interview rooms are equipped with phones for detainees to make private calls. Lastly, the fingerprint room serves a dual purpose, also storing snacks and disposable blankets.

Scope of Audit: Prior to the on-site audit, the Auditor was able to review the HQ and Local Pre-Audit Questionnaires (PAQs), the HQ Responsive Documents and Data Requests, local documents, including the Alexandria Bay POE specific documents, and HQ Participation documents and identified the medical provider for Alexandria Bay POE. The Auditor engaged in interviews with HQ SMEs and held discussions with the Chief whose responsibility included providing facility information prior to the audit being conducted. While conducting the on-site tour and inspection, the Auditor noted the presence of notices related to the Alexandria Bay POE PREA Audit. These notices were displayed in both English and Spanish and included the Auditor's contact details. To date, no communication has been initiated with the Auditor.

The Auditor carried out interviews with HQ Subject Matter Experts (SMEs) and conversation with the Supervisor responsible for completing the local Pre-Audit Questionnaire (PAQ). Alexandria Bay POE collaborates with the River Hospital, Alexandria Bay, NY or Samaritan Medical Center, Watertown, NY for its medical services. The Auditor verified Sexual Assault Forensic Examinations (SAFE) and Sexual Assault Nurse Examiners (SANE) are available at the hospital through speaking with the emergency room nurse in charge.

The Auditor was provided all relevant documents to determine Alexandria Bay POE's level of compliance with the DHS standards. The Auditor was provided a roster in which to randomly select staff for the interviews. All interviews were conducted in a private and confidential manner. The Auditor conducted ten random officer interviews and four local SME interviews to cover each shift. There were no detainees available to interview the day of the audit.

The Auditor also reviewed PREA initial and refresher staff training records on the Acadis training portal. The PREA initial and refresher training were in compliance with the standards and policy requirements. The Auditor requested background check information on a random selection of 20 staff members and submitted the names to Alexandria Bay POE with further submission to the HQ Privacy and Diversity Office (PDO)/Prevention of Sexual Assault (PSA) Coordinator and HQ Human Resources Management (HRM) Office. The background checks were found to be in compliance.

An exit briefing for Alexandria Bay POE was held at approximately 1530 hours. The exit briefing was conducted by Creative Corrections Certified PREA Auditor (b) (6), (b) (7)(C). Those in attendance for the briefing were:

(b) (6), (b) (7)(C), Supervisory CBP Officer, Alexandria Bay POE  
(b) (6), (b) (7)(C), Supervisory CBP Officer, Alexandria Bay POE  
(b) (6), (b) (7)(C), PREA Auditor, Creative Corrections, LLC  
(b) (6), (b) (7)(C), CBP Officer, Program Manager, Border Security Division (via TEAMS)  
(b) (6), (b) (7)(C), Assistant Area Port Director (via TEAMS)  
(b) (6), (b) (7)(C), Acting Area Port Director, Alexandria Bay POE (via TEAMS)  
(b) (6), (b) (7)(C), Assistant Port Director, Alexandria Bay POE (via TEAMS)  
(b) (6), (b) (7)(C), HQ Office of Field Operations (OFO) National PREA Coordinator (via TEAMS)  
(b) (6), (b) (7)(C), Program Manager, Creative Corrections, LLC (via TEAMS)  
(b) (6), (b) (7)(C), Certified PREA Auditor, Creative Corrections, LLC (via TEAMS)

During the exit briefing, 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, background checks, 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.

The Alexandria Bay Port of Entry on-site audit was completed on Tuesday, March 26, 2024, and the findings report was submitted on April 26, 2024.

The audit process included the pre-audit, on-site audit, and post-audit review of policies, protocols and documentation to determine compliance of 25 DHS Subpart B Standards at Alexandria Bay POE. The Auditor reviewed all relevant policies, procedures, and documents in assessing the Alexandria Bay POE through SharePoint and while on-site. The Auditor observed Notice of Audit posting throughout the two buildings in plain view for staff, detainees, and general public. The Auditor conducted a records review for a random selection of staff, which included information on background checks and staff PREA training records along with all submitted documentation review.

Alexandria Bay Pass 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.

<b>SUMMARY OF AUDIT FINDINGS</b>	
Number of standards exceeded: 0	
Number of standards met: 25	
Number of standards not met: 0	
<b>OVERALL DETERMINATION</b>	
<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 January 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 Alexandria Bay POE staff CBP's zero tolerance of sexual abuse. In observance of Sexual Assault Awareness and Prevention Month in April, the Privacy and Diversity Office disseminated information to all employees about CBP's Zero-Tolerance Policy on Sexual Abuse and Assault. This information was distributed through payroll notices and CBP Central.

The agency has established policies and procedures to effectively communicate CBP PREA standards to the public, staff, and detainees. The zero-tolerance posters regarding sexual abuse and assault are placed in corridors, waiting areas, interview rooms, and search areas in both English and Spanish plus other languages. The Zero Tolerance Poster includes a wording "Report Sexual Assault" in seven additional languages to report sexual abuse. CBP provides PREA posters for adults in 12 other languages and for children in 15 other languages, which can be displayed as required. These translated posters are accessible to CBP officers via the internal website, enabling them to use specific languages based on the current detainee population. Mandatory PREA training can be accessed through the CBP Acadis online training portal, which was formerly available through the Performance and Learning Management System (PALMS) training portal. The Acting HQ PDO/PSA Coordinator affirmed the availability of ample time to offer guidance to facilities regarding the agency's zero-tolerance policy. During interviews with local SMEs and officers, all indicated their understanding of the zero-tolerance policy, PREA standards, and reporting procedures.

### §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 mandates that each facility maintain adequate detainee supervision, achieved through suitable staffing levels (b) (7)(E), to safeguard detainees against sexual abuse. In accordance with CBP National Standards on Transport, Escort, Detention, and Search (TEDS), dated October 2015, Alexandria Bay POE officers are responsible for ensuring ongoing supervision of detainees in the hold rooms. During the audit, the Auditor couldn't observe officers supervising detainees as there were none being held at the time. However, officers described how they conduct 15-minute checks using the Unified Secondary System (USEC) when detainees are present. The hold rooms are located near staff offices, allowing supervision and accessibility easier. The Auditor confirmed that officers in the processing area and the Radio Command and Console area oversee detainees by

maintaining visibility through the hold room windows. Each hold room has a distinct layout, including seating arrangements and a partial privacy wall at the rear for toilet usage.

(b)(c): The facility meets the standard provisions. CBP Directive 2130-030 mandates the regular annual review of detainee supervision guidelines and their applicability at Alexandria Bay POE. This review considers various factors, such as the facility's physical layout, detainee composition, substantiated and unsubstantiated cases of sexual abuse, incident review findings, and other pertinent considerations. The results of this annual assessment must be transmitted to the HQ PDO/PSA Coordinator as per the Directive's requirements. The Auditor reviewed the annual review of detainee supervision guidelines, which was conducted on October 24, 2023, by three Assistant Area Port Directors and three Chiefs. The assessment was comprehensive. Local SMEs, with years of experience at Alexandria Bay POE, confirmed their practice of consistently reassessing supervision strategies. In cases of increased detainee influx, they have contingency plans that involve mobilizing staff from other local POEs. The SMEs noted that the unique characteristics of the Alexandria Bay POE, primarily vehicular traffic with occasional wrong turns leading to detainee situations, dictate their supervision strategies. Staffing levels can be adjusted through overtime or modified schedules in the event of a detainee influx. The SMEs have not encountered a detainee surge in their years of experience at Alexandria Bay POE. The assessment concluded that Alexandria Bay POE maintains sufficient supervision of detainees as required by the standard.

**§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. The CBP TEDS and 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 should be detained in the least restrictive setting appropriate to their age and special needs, while ensuring the protection of their well-being, in compliance with relevant laws, regulations, and legal requirements. During staff interviews, it was revealed that local SMEs and officers prioritize holding juveniles who are part of family units or identified as UC in the least restrictive settings possible. Juveniles are accommodated with their families, and in cases of limited space in hold rooms, they are seated where officers can maintain continuous observation and direct supervision. Officers confirm that upon arrival at Alexandria Bay POE, juveniles are placed in the hold room with a half door for clear visibility. Although these rooms lack toilets, officers escort UC to nearby designated bathrooms. Alexandria Bay POE provides food, snacks, and drinks to juveniles, adults, and family units. While the facility reported holding juveniles during the audit period, there were none detained during the on-site audit.

(b): The facility meets the standard provision. In accordance with the CBP TEDS and the Acting Assistant Commissioner, Office of Field Operations Memorandum issued on August 12, 2014, titled "Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in CBP Holding Facilities," it is stipulated that UC must be held separately from adult detainees. The memorandum, along with CBP TEDS, specifies that a juvenile may temporarily remain with a non-parental adult family member if a thorough vetting process, including agency and State Department database searches, separate interviews with both the minor and the accompanying adult, and examination of accompanying documents, determines that such an arrangement is appropriate under the totality of the circumstances. During interviews, local SMEs and officers emphasized the separation of UC from adult detainees, with additional separation by gender. UC are held in areas with sight and sound separation, facilitated by separate corridors and rooms, to minimize closeness to adult detainees. Juveniles are promptly separated from accompanying adults unless the relationship has undergone proper vetting and been deemed appropriate before placement. However, no UCs were available for interview during the audit.

**§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 outlines the authorized search types and their conditions, prioritizing safety for officers, civilians, and detainees. The policy mandates that all searches adhere to legal authority and standards while preserving detainees' legal rights and ensuring respectful treatment with due regard for privacy. For juveniles, CBP TEDS specifies that officers are not to conduct visual body cavity searches; instead, they should refer these cases to medical practitioners. CBP TEDS prohibits cross-gender partial body searches and cross-gender visual body cavity searches, with exceptions made for exigent circumstances, officer safety considerations, or medical practitioners' involvement, and must be documented in an electronic record system. According to information provided by local SMEs and officers, body cavity searches are prohibited at Alexandria Bay POE and stated the facility has not conducted any partial body searches or visual body cavity searches, therefore, there were no logbooks to review. They emphasized that only medical personnel are authorized to carry out strip (partial body) or visual body cavity searches on juveniles. The consensus among local SMEs and officers is that cross-gender searches should align with the detainee's self-identified gender, wherever operationally feasible.

(d): The facility meets the standard provision. According to CBP TEDS guidelines, officers are responsible for facilitating detainee access to showers (when available), attending to bodily functions, and changing attire in a manner that prevents opposite-gender staff from observing, except in urgent situations or instances related to routine room checks, or when such observation is medically necessary or during monitored bowel movements. CBP TEDS mandates that officers from the opposite gender announce their presence when entering areas where detainees might be engaged in showering, attending to bodily functions, or changing clothes, except in urgent situations or as part of routine inspections. During interviews, local SMEs and officers confirmed their compliance with this requirement by knocking on doors to announce their presence. However, no detainees were available for interview, and staff reported that no showers were available at the facility.

(e): The facility meets the standard provision. CBP TEDS prohibits staff from conducting searches or physical examinations of detainees solely to ascertain their gender. A weekly muster titled "Processing Transgender Applicants for Admission, dated December 10, 2018, specifically states that whenever operationally feasible, CBP officers conducting a search must be of the same gender, gender identify, or declared gender as the detainee being searched. In cases where the detainee's gender is not specified, officers are instructed to inquire about the detainee's gender or gender identity and conduct the search accordingly. If a detainee opts not to disclose their gender, it is recorded as "unknown" in the relevant electronic record system(s). Local SMEs confirmed they adhere to the detainee's self-declared gender and do not conduct gender-based searches. There were no transgender detainees available for interviews at the facility.

(f): The facility meets the standard provision. CBP TEDS directs staff to conduct searches in a professional, thorough, and a reasonable manner consistent with the type of search required and that a search must be of the same gender, gender identity, or declared gender when operationally feasible. A weekly muster titled "Professionalism when Processing Transgender Applicants for Admission," was also provided to officers at Alexandria Bay POE reiterating their responsibilities regarding the appropriate handling of transgender persons into the U.S. The memorandum further reminds staff of their commitment of treating all persons with dignity and respect. The officers interviewed said they do not search detainees of the opposite gender unless it is an exigent circumstance. They also explained how they conduct cross-gender pat-down searches following their training and guidelines. During interviews, local SMEs and officers reported being trained in conducting pat-down searches, including cross-gender searches. However, officers stated they have never performed cross-gender pat-down searches. Instead, they search detainees based on the gender they identify as. No detainees were available for interviews.

**§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 staff to grant detainees with disabilities access to CBP's sexual abuse and assault prevention, detection, and response efforts. Additionally, CBP TEDS stipulates the necessity of reasonable accommodations for detainees with disabilities. Furthermore, CBP Directive 2130-033, titled "Nondiscrimination for Individuals with Disabilities in CBP-Conducted Services, Programs, and Activities (Non-Employment)," effective from July 8, 2021, includes a job aid guiding staff on effective communication with individuals having disabilities. This job aid outlines various disability types and provides examples of how to address them. The Auditor reviewed Alexandria Bay POE's pre-audit documentation, showing no history of detaining individuals requiring disability accommodation in the past twelve months. Interviews with local SMEs and officers highlighted their dedication to assist detainees who may be visually or hearing impaired, limited English proficient, or low intellect, by reading PREA notices to those with visual impairments, providing written materials for the deaf, and using simplified language for those with intellectual or mental health disabilities. No detainees with disabilities were available for interviews.

(b): The facility meets the standard provision. During the site inspection, the Auditor observed PREA posters are displayed in English and Spanish, as well as in commonly spoken languages, such as French, providing clear guidance. Posters in the new admission interview room aids detainees in communicating their language to officers. CBP Directive 2130-030 requires all holding facilities to offer effective, accurate, and unbiased interpretation services, either in-person or via telephone, to Limited English Proficient (LEP) detainees. CBP TEDS also requires the facility to communicate instructions and relevant information to detainees in a language they understand. CBP Directive 2130-031, Roles and Responsibilities of U.S. Customs and Border Protection and Personnel Regarding Provision of Language Access, dated December 4, 2018, provide information and guidance to all CBP staff. CBP equips officers with a mobile application on their CBP-issued phones, enabling real-time language interpretation in the field and during processing. Alexandria Bay POE has staff available on all shifts who speak Spanish and some who speak French to assist with interpretation needs, as the facility frequently receives LEP detainees. Local SMEs and officers utilize the language line for interpretation needs. During the on-site audit, there were no detainees being held to interview.

(c): The facility meets the standard provision. CBP Directive 2130-030 specifies that detainees should not be used as interpreters in cases of alleged sexual abuse or confirmed sexual abuse. Additionally, CBP equips officers with CBP Translate, a mobile application for on-the-spot language translation using their CBP-issued phones. Furthermore, there is a phone-based translator available during processing. The local SMEs and officers emphasized their objection to involve other detainees in interpretation, particularly in situations involving sexual abuse and/or assault. During the onsite audit, there were no detainees being held to interview.

**§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 requires HRM to oversee compliance with hiring, promotion, and discipline standards. The Directive also mandates that HRM Standard Operating Procedures (SOP) specify the agency's prohibition on enlisting the services of contractors or volunteers with a history of sexual abuse or assault in various facilities. Additionally, it mandates the Office of Acquisition to establish procedures to prevent the hiring of contractors with such history. Prior to the on-site audit, the Auditor was provided with documents, including a PREA Questionnaire for contractors and volunteers. The questionnaire inquires about any history of sexual abuse or assault, whether criminal, civil, or administratively adjudicated. Contractors and volunteers are required to sign the questionnaire, acknowledging the responsibility of reporting any changes to their responses. During interviews, the HQ HRM/Hiring Center SME confirmed knowledge and compliance with these procedures.



Additionally, interviews with the HQ Office of Professional Responsibility (OPR)/Personnel Security Division (PSD) SME confirmed that the agency conducts suitability determinations and screens out individuals with a history of sexual abuse conduct using FBI and NCIC checks. Alexandria Bay POE does not enlist the services of volunteers. Maintenance and Housekeeping contractors are employed but do not have contact with detainees.

(b): The facility meets the standard provision. The mission-specific questions related to previous misconduct, as outlined in standard provision (a), were provided to the Auditor before the on-site audit. The Auditor reviewed these questions and confirmed their specificity to the standard. Interviews with the HQ/HRM Hiring Center SME verified that new employees and those seeking promotion must complete a document indicating any history of sexual misconduct. Additionally, the HQ HRM/Labor Employee Relations (LER) SME stated that 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 mandates background investigations for job applicants in contact with detainees and periodic updates every five years for CBP personnel. The Auditor requested a random sample of 20 background checks for all ranks at Alexandria Bay POE, submitted to HRM. A review of the background information confirmed compliance with the standard provision. The Directive requires background investigations for contractors with detainee interaction responsibilities, but Alexandria Bay POE does not hire such contractors. Staff interviews confirmed that cleaning contractors are escorted by officers and do not have detainee contact. An interview with the HQ OPR/PSD SME verified comprehensive background checks for new employees with detainee contact and five-year reinvestigations. They also implemented a system for real-time notifications of potential criminal activities involving staff members.

(e): The facility meets the standard provision. The HQ HRM/LER SME explained that offers of employment to potential employees can be revoked, or the employment of existing employees terminated for omitting significant information or providing false details about sexual abuse misconduct. Staff members are informed of their duty to report any instances of sexual misconduct, false information, or significant omissions through CBP Directive 51735-013B, Standards of Conduct, dated December 9, 2020. These guidelines are provided to staff upon employment and addressed in their annual mandatory ethics training conducted via the Acadis training portal.

(f): The facility meets the standard provision. CBP Directive 2130-030 mandates that any substantiated allegations of sexual abuse regarding former employees, upon receiving a request to do so from an institutional partner for whom such an employee has applied to work, provide the requested information unless prohibited by law. The HQ HRM/LER SME stated that unless prohibited by law, the agency provides information on substantiated allegations of sexual abuse involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work.

**§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 local SMEs confirmed that if new technology or updates were implemented, they would consider PREA supervision and privacy concerns. They stated their intention to analyze methods to enhance protection against sexual abuse for detainees. (b) (7)(E)

It's worth noting that Alexandria Bay POE underwent upgrades less than 10 years ago. They did not undergo any upgrades during the audit period.

(b): The standard provision is not applicable as Alexandria Bay POE has not had any upgraded technology at the facility since the last audit was conducted.

**§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. CBP Directive 2130-030 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. During the audit, the Auditor contacted River Hospital in Alexandria Bay, NY, and Samaritan Medical Center in Watertown, NY, designated to offer forensic examinations for victims of sexual assault and/or abuse. Local SMEs confirmed detainees are referred to these hospitals if they are victims of sexual abuse. Both local SMEs and the HQ PDO/PSA Coordinator verified that Alexandria Bay 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 detainees undergoing forensic examinations related to sexual abuse or assault, while adhering to security requirements. Discussions with local SMEs confirmed that all sexual abuse victims at River Hospital in Alexandria Bay, NY, or Samaritan Medical Center in Watertown, NY, are eligible for victim services. Additionally, advocacy and follow-up services are provided through Crisis Services of Jefferson County, New York.

(e): The facility meets the standard provision. The HQ PDO/PSA Coordinator affirmed no instances of sexual abuse or sexual assault at Alexandria Bay POE were reported within the 12-month audit period. The HQ PDO/PSA Coordinator further stated that if such an incident were reported, a system is in place to promptly report the incidents for timely investigations. During interviews, local SMEs revealed that either the New York State Police Troop D or the Jefferson County Sheriff's Office is designated to report criminal incidents. Alexandria Bay POE provided a notification letter, dated January 24, 2023, to the Jefferson County Sheriff's Office and New York State Police, outlining the PREA requirement standards they must adhere to. The HQ OPR/Sexual Abuse and Assault Investigations (SAAI) Coordinator affirmed that reporting responsibilities ensure comprehensive and unbiased investigations when necessary.

**§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 requires staff with knowledge, suspicion, or information about sexual abuse/assault incidents, retaliation, or staff neglect to promptly report to the Joint Intake Center (JIC) in holding facilities. CBP Directive 3340-025F, Reporting Significant Incidents to the U.S. Customs and Border Protection WATCH, issued on November 21, 2021, classifies all sexual abuse cases as significant incidents, necessitating prompt reporting of sexual abuse/assault incidents involving individuals in CBP custody (including holding facilities, during transport, and processing), retaliation against anyone who reports or participates in investigations, or staff neglect/responsibility violations contributing to retaliation incidents. The CBP Watch, operational 24/7, acts as a central hub for reporting. Local SMEs and officers, committed to reporting incidents, involve local law enforcement when necessary. The oversight process for allegations, detailed by HQ OPR/SAAI SME, begins with DHS OIG's initial review, followed by the JIC. The JIC notifies relevant offices of sexual abuse allegations/incidents, and notifications to authorized law enforcement agencies, such as New York State Police and Jefferson County Sheriff's Office, are duly documented. HQ OPR/SAAI SME ensures comprehensive recording of all allegations 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 met the standard provisions. CBP Directive 2130-030 mandates training for staff with potential detainee contact in CBP holding facilities. CBP has developed resources to educate staff on effective communication with detainees with disabilities and LGBTQI+ individuals. CBP's internal PREA Resource Center, responsible for promoting a zero-tolerance approach to sexual abuse and assault, underscores this. 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 Acadis training portal. During the audit, the Auditor confirmed that all required PREA training was included in the training curriculum, as mandated by standard requirements. Training records in the Acadis portal showed that mandatory training had been completed by all staff, except for 4 employees currently undergoing training as new officers. Local SMEs and officers affirmed during interviews that they had received both initial and refresher PREA training through the Acadis portal. Pre-audit documentation indicated that Alexandria Bay POE did not utilize volunteers throughout the 12-month audit period. Housekeeping contractors have no direct contact with detainees. No contract staff or volunteers were observed during the on-site tour, as further verified by SMEs.

**§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. To ensure detainee awareness, Alexandria Bay POE prominently displays large posters of the DHS Zero-Tolerance Policy in detainee hold rooms and processing areas, featuring information in English, Spanish, French, and other common languages available for CBP. These posters are visible from the hold rooms. CBP's zero-tolerance policy can be accessed on its website: <https://www.cbp.gov/about/care-in-custody>. Various methods are employed, including age-appropriate, colorful posters, information display system slides, and scripts, all conveying the zero-tolerance stance against sexual abuse and assault and explaining how to report such incidents in CBP holding facilities. No detainees were available for interview.

**§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 – Refer to 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 requires the evaluation of all detainees for sexual assault risk before placement in a hold room or holding facility. This assessment considers factors including mental, physical, or developmental disabilities, age, physical stature, prior arrests or incarcerations, self-identification as LGBTI+ or gender non-conforming, history of sexual victimization, and the detainee's personal safety concerns. The processing officer, guided by this assessment, decides whether the detainee should be placed alone or separated from

specific individuals to ensure personal and collective safety. A Memorandum from the Acting Assistant Commissioner, dated August 12, 2014, was issued to all Directors of Field Operations, Preclearance Directors, and the Office of Field Operations (OFO), reiterating the importance of conducting risk assessments. The Auditor couldn't observe the assessment process due to the absence of new detainees. However, the Auditor reviewed multiple risk assessments for the most recent detainees within the last nine months. Local SMEs and officers, as confirmed during interviews, ask assessment questions to identify any physical safety concerns expressed by detainees. After assessment, detainees are placed in hold rooms that match their security and safety needs. Local SMEs emphasized their commitment to contributing to the zero-tolerance environment at Alexandria Bay POE by saturating the facility with PREA information.

(e): The facility meets the standard provision. CBP TEDS mandates staff members to perform confidential risk assessments to prevent unauthorized access to sensitive information. The release of such data is tightly regulated and limited exclusively to individuals with a legitimate "need to know." Discussions with local SMEs and officers confirm the enforcement of this procedure. All detainee information is securely maintained in the Unified Secondary System, accessible to staff based solely on a need-to-know criterion.

**§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. Both CBP TEDS and CBP Directive 2130-030 mandate the provision of confidential channels for detainees to report sexual abuse/assault, staff neglect, retaliation, or violations that may result in sexual assault. CBP Directive 2130-030 emphasizes the importance of ensuring the visibility and accessibility of reporting procedures, including making this information available on the public CBP website. The "Keep Detention Safe" posters in the processing area contain telephone contact details for DHS OIG. An email from CBP Central, dated February 2018, supplies CBP employees with links to access and review all policies and updates. HQ PDO's DHS PREA Standards "In Focus," dated July 2022, was distributed to staff with a specific focus on this standard. This document provides comprehensive information on detainee reporting, sexual abuse definitions, staff reporting, and additional tools and resources for staff reference. Interviews confirmed officers and local SMEs' familiarity with these reporting methods.

(b): The facility meets the standard provision. CBP Directive 2130-030 mandates that detainees are granted confidential ways to report sexual abuse, encompassing verbal or written communication with staff and third-party reporting to an external entity not affiliated with the agency. During interviews, local SMEs and officers confirmed that detainees can report abuse verbally or in writing to staff, and third-party reports are accepted. Detainees also have the right to request a private and anonymous phone call to DHS OIG, with information provided through posters in processing and holding areas. The Auditor conducted a test call to verify the anonymous telephone line's functionality, successfully reaching DHS OIG. Staff explained that detainees requesting a call to DHS OIG are granted access to a private and confidential multipurpose office, with a designated room available at Alexandria Bay POE for detainees to make private calls to OIG without disclosing the purpose of their call.

(c): The facility meets the standard provision. During interviews, local SMEs and officers emphasized the staff's education and knowledge regarding the timely reporting and written documentation of third-party reports of sexual abuse and assault. They highlighted that all allegations of sexual abuse or assault, regardless of the reporting source, would be promptly conveyed to supervisors for necessary follow-up actions.

**§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. Public reporting procedures for sexual abuse of detainees have been established by CBP, accessible at <https://www.cbp.gov/about/care-in-custody>. The website provides a toll-free JIC Hotline phone number, email address, and physical address, offering multiple reporting avenues to the JIC. Additionally, contact details (phone, email, and online reporting) for DHS OIG are available on the website. Conversations with local SMEs and officers confirmed the accessibility of various reporting avenues to third parties. Officers reiterated their commitment to promptly informing their supervisor upon receiving third-party allegations.

**§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 mandates all staff to promptly report any knowledge, suspicion, or information concerning incidents of sexual abuse/assault, retaliation against detainees or staff who reported or participated in investigating sexual abuse, and any staff neglect or violation contributing to incidents or retaliation. CBP Directive 3340-025F, instructs officers to report sexual abuse/assault incidents to a 24/7 unified hub that ensures immediate reporting to all required leadership. CBP Directive 51735-013B mandate staff to promptly report any misconduct and equip them with the requisite information for making such reports. In an August 12, 2014, Memorandum issued by the Assistant Commissioner to all Directors of Field Operations, Pre-Clearance Operations, and Office of Field Operations (DFOs), the Assistant Commissioner states that reporting methods must be prominently displayed in all the secondary inspection areas, to include, hold rooms, and secure open areas of each processing area. Officers, during interviews, affirmed their awareness of their responsibilities and capacity to report issues outside the chain of command. They stated that although no allegations had been made in their experience at Alexandria Bay POE, they would promptly inform their supervisor and escalate concerns through the chain of command by contacting the JIC or DHS OIG. Additionally, officers mentioned being provided with quick reference cards for easy access to essential reporting contacts and having a job aid binder at processing stations for quick access to PREA policies and procedures.

(c): The facility meets the standard provision. CBP Directive 2130-030 specifies that except when essential to report the incident, CBP and its staff are prohibited from disclosing any information pertaining to the incident, except as required to assist the detainee, safeguard other detainees, or staff, or ensure security and management. Officer interviews confirm that information about sexual assault is shared on a "need to know" basis. Additionally, interviews with local SMEs and officers affirm that information is only disclosed to staff when necessary or during investigations. An interview with the HQ OPR/SAAI SME further confirms that records are securely maintained in a confidential manner.

(d): The facility meets the standard provision. Interviews with local SMEs revealed that sexual assaults involving victims under the age of 18 or vulnerable adults are reported by the Chief, in accordance with CBP Directive 2130-030, which requires CBP staff to notify relevant agencies in such cases.

**§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. Discussions with local SMEs and officers confirm that CBP TEDS mandates immediate action if a detainee is at immediate risk of sexual assault. In such cases, protective measures, including isolation or direct continuous supervision, are promptly implemented, as instructed by the on-duty supervisor. Officer interviews have confirmed that at-risk detainees are placed in a dedicated hold room to ensure vigilant monitoring.

**§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, directs Alexandria Bay POE if an alleged victim of sexual assault and/or abuse is transferred to another DHS of the alleged incident and a potential need for social or medical services and if a detainee is transferred to a non-DHS facility they must inform the receiving facility or agency, as permitted by law of the incident and potential need for social or medical services, unless the victim requests otherwise. On August 12, 2014, a Memorandum from the Acting Assistant Commissioner, Office of Field Operations, was circulated to all Directors of Field Operations, Preclearance Operations, and the Office of Field Operations. This memorandum included an attachment of a Commissioner's Memorandum on CBP Policy Zero Tolerance of Sexual Abuse. During interviews with local SMEs, it was confirmed that upon receiving an allegation of sexual abuse at another facility, officers promptly inform their immediate supervisor. The supervisor then contacts the relevant agency or facility administrator to report the allegation. Local SMEs also affirmed that these notifications would be promptly made and appropriately documented. Additionally, they stated no allegations were received at the facility during the 12-month audit period.

(b): The facility meets the standard provision. CBP Directive 2130-030 mandates that notifications must be issued within 72 hours upon receipt of a sexual assault and/or abuse allegation. Interviews with local SMEs confirmed their awareness of the 72-hour reporting window outlined in the Acting Assistant Commissioner's memorandum. However, they indicated their commitment to reporting immediately, well before the end of the 72-hour reporting period.

(c): The facility meets the standard provision. The Acting Commissioner's Memorandum instructs supervisors to record notifications to the facility administrator's office when an alleged assault occurs. An interview with the Chief confirmed that notifications would be promptly made and documented by the on-duty supervisor.

(d): The facility meets the standard provision. Local SMEs interviewed confirmed Alexandria Bay POE's compliance with CBP Directive 2131-030 reporting requirements, noting no notifications received in the past 12 months. They stated that if notifications were received, reporting procedures would be followed as if the incident occurred at Alexandria Bay POE. Additionally, they emphasized their commitment to reporting alleged sexual abuse incidents at Alexandria Bay POE from external sources to the JIC.

**§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 outlines the initial actions for the first responding officer or supervisor upon learning of a detainee sexual assault. This Directive, in conjunction with PREA training via the Acadis portal, outlines the necessary steps in the event of a detainee being sexually assaulted. Staff also received PREA Quick Reference Cards for guidance as first responders. During interviews, local SMEs and officers displayed awareness of their first responder responsibilities. This involved separating the alleged victim and the alleged abuser, securing the crime scene if evidence collection was still feasible, and requesting the victim and ensuring the alleged abuser not to take any actions that could destroy physical evidence such as preventing detainees from eating, drinking, washing, using the toilet, or changing clothes that may contain physical or forensic evidence.

(b): The standard provision is not applicable. Only law enforcement officers have direct contact with detainees while being held at Alexandria Bay POE.

**§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. CBP Directive 2130-030 outlines the agency's institutional plan for preventing, detecting, and responding to sexual abuse and/or assault. It provides a comprehensive strategy for handling such incidents within holding facilities. Introduced on August 15, 2022, a job aid details first responder responsibilities regarding sexual assaults involving detainees, including detainee-on-detainee, or involving staff. The aid includes duties, notification procedures, forensic examinations, and incident reporting protocols.

(b)(c): The facility meets the standard provisions. During interviews, local SMEs confirmed adherence to CBP Directive 2130-030, which mandates notification to another DHS facility in case of a transfer of a sexual abuse/assault victim. This notification is carried out by the Alexandria Bay POE Chief or designated supervisor and includes the detainee's requirements for medical or social services. If a victim is transferred from a DHS holding facility to a non-DHS facility, Alexandria Bay POE must inform the receiving facility about the incident and potential need for services, unless the victim expresses a different preference. This notification process is overseen by the Alexandria Bay POE Chief 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 mandates Alexandria Bay POE management to assess the potential removal of Alexandria Bay POE officers from detainee contact in response to allegations of sexual abuse, pending investigations, or in cases of substantial seriousness or plausibility. Interviews with local SMEs confirmed that agency policy mandates staff members' removal from detainee contact during investigations into alleged sexual abuse, assault, or policy violations. Additionally, the SMEs emphasized Alexandria Bay POE's commitment to safeguarding detainees while in their custody, with contractors and volunteers having no direct detainee contact. Officers oversee interactions between contractors and detainees, as indicated in the Alexandria Bay POE PAQ. Both local SMEs and the HQ PDO/PSA Coordinator reported no allegations of sexual abuse during the 12-month audit period, reinforcing Alexandria Bay POE's record of 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 prohibits any retaliation by CBP staff, including officers, against individuals, such as detainees, who make allegations or complaints of mistreatment or engage in sexual activity under duress, coercion, threat, or fear of force. CBP Directive 51735-013B, explicitly forbids retaliation, sexual abuse, or assault of detainees. Interviews with local SMEs confirmed the policy's enforcement, and the interviewed officers demonstrated their familiarity with the Directive's anti-retaliation provisions. They indicated they have received training to recognize signs 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 – Refer to 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 – Refer to 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 potential disciplinary consequences, such as removal from federal service, for CBP personnel when faced with substantiated sexual abuse/assault allegations or breaches of CBP's sexual abuse policies. Additionally, CBP Directive 57135-013B, Standards of Conduct, informs all CBP personnel about the potential for disciplinary action in cases of substantiated sexual abuse and/or assault allegations. The HQ OPR/SAAI SME and HQ HRM/LER SME confirmed that individuals found to have substantiated complaints of sexual abuse or violations of the agency's sexual abuse policy may face disciplinary measures, with the presumptive penalty being removal from their position and exclusion from future federal service.

(c): The agency meets the standard provision. During the interview with the HQ PDO/PSA Coordinator, it was reported that there were no instances of sexual abuse reported at Alexandria Bay POE within the last 12 months. The interview with the HQ OPR/SAAI SME reaffirmed that any allegations of sexual abuse would be forwarded to the local law enforcement agency, and the coordination of notifications is handled by HQ OPR/SAAI personnel.

(d): The agency meets the standard provision. The HQ OPR/SAAI SME indicated that the agency would communicate disciplinary conclusions to pertinent licensing bodies and designated law enforcement personnel.

**§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. Per CBP Directive 2130-030 and the Zero-Tolerance of Sexual Abuse and Assault Policy, CBP contractors and volunteers may face potential disciplinary actions, including removal from their respective roles or volunteer positions when allegations of sexual abuse, sexual assault, or violations of CBP's sexual abuse policies are substantiated. According to statements by HQ OPR/SAAI SME and HQ OFO SME, all contractors and volunteers would be suspended from detainee interaction during the investigation of allegations of sexual abuse and/or assault. The HQ OPR/SAAI SME indicated that any substantiated allegations of sexual abuse would be reported to the appropriate law enforcement agencies by the WC or their designee and to the Office of Acquisition to ensure the contractor's exclusion from federal services. HQ OPR/SAAI staff would also notify relevant licensing bodies. During interviews, local SMEs confirmed that Alexandria Bay POE does not utilize volunteers and excludes contractors with direct contact with detainees. They also confirmed 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. CBP Directive 2130-030 mandates that detainee victims of sexual abuse have timely, unimpeded access to emergency medical treatment and crisis intervention services, including emergency contraception and sexually transmitted infections prophylaxis in accordance with professionally accepted standard of care without cost, regardless of their involvement in identifying the alleged perpetrator or investigations. In cases of sexual assault and/or abuse at Alexandria Bay POE, detainee victims are promptly transported to River Hospital or Samaritan Medical Center for comprehensive services, provided at no cost to them, even if they decline to cooperate with the investigation. Local SME interviews confirmed the availability of these services at no charge, regardless of the victim's cooperation level.

**§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. As per CBP Directive 2130-030, a sexual abuse incident review is mandated within 30 days of each sexual abuse and assault investigation, excluding unfounded cases. This review evaluates whether the allegation or investigation necessitates policy or practice adjustments to enhance prevention, detection, or response to sexual abuse. The local SME confirmed Alexandria Bay POE's commitment to implementing recommendations provided by the Incident Review Committee (IRC) and stressed that any identified improvement suggestions from the review must be either implemented or accompanied by a documented explanation if not adopted. According to the HQ/PDO PSA Coordinator, the Incident Review Committee (IRC) comprises three CBP HQ Program Managers and the local PREA Field Coordinator. Alexandria Bay POE has not had any allegations in the last 12 months. The HQ PDO/PSA Coordinator additionally outlined that in the event of a sexual abuse/assault investigation, the IRC would convene within 30 days following the investigation's conclusion to compile a comprehensive report outlining 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 – Refer to the CBP Sexual Abuse Investigations Audit Report.

**ADDITIONAL NOTES**

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**

08/26/2024

**Date**