

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:15-cv-00368-MHT-CWB
)	
STATE OF ALABAMA AND)	
ALABAMA DEPARTMENT OF)	
CORRECTIONS,)	
)	
Defendants.)	

**UNITED STATES’ REPORT TO THE COURT
PURSUANT TO ORDER, DOC. 127**

In response to the Court’s Order, Doc. 127 (February 20, 2024), the United States Department of Justice (United States) submits this report. The Court’s questions from the Order and the United States’ responses follow.

1. What issues were identified in Tutwiler’s investigations into Prison Rape Elimination Act (PREA) complaints?

The State sent the United States 18 investigation reports, conducted during the 16th monitoring period, covering incidents between January 1, 2023 – June 1, 2023. *See* Doc. 11 at VII.A (providing the United States and its consultants and agents access to documents necessary to evaluate compliance). The United States’ experts reviewed these reports and expressed concerns with the timeliness, completeness, and thoroughness of the investigations, as well as deficiencies with properly notifying the complainant as required by the PREA standards. Exh. A (Shelley Harrington Dec.) ¶ 18; Exh. B (Melinda Allen Dec.) ¶¶ 4-10. Concerns also included starting investigations late and failing to preserve evidence. Exh. A ¶ 18; Exh. B ¶ 6. Prior to the release of the 16th Monitoring Report, the United States and its experts reviewed five of the 18

investigations with the State investigators from the Law Enforcement Services Division (LESB), who are responsible for overseeing the Julia Tutwiler Prison for Women's (Tutwiler's) investigations, to explain our concerns with the investigations.

2. How common were those issues among the investigations reviewed?

The United States' experts found discrepancies and concerns with all 18 investigations they reviewed. Exh. A ¶ 18; Exh. B ¶¶ 4-10. Based on the experts' review, the United States believes the issues identified are systemic. Furthermore, the Serious Abuse Incident Review (SAIR) Team, a management level team at Tutwiler responsible for improving Tutwiler's investigation processes, found no concerns with these investigations. Exh. A ¶ 19. This indicates a failure to provide accountability over investigations within the facility. *See* Exh. A ¶¶ 19-20.

3. Why do the experts' concerns justify downgrading the State's compliance status for each of the four relevant consent decree requirements from the compliance chart?

The United States submits that the State's compliance rating should be lowered to partial compliance¹ for Consent Decree paragraphs III.K.2, III.K.5-8, III.K.12, and III.K.14-16 (*hereinafter*, Challenged Provisions).² The Challenged Provisions involve four sections of the compliance chart, which is the monitoring tool used by the former Independent Monitor to measure the State's compliance with the Consent Decree. The compliance chart clusters similar Consent Decree paragraphs together into single sections (*hereinafter*, chart sections). *See generally*, Doc. 16-2 (Compliance Tool for First Monitor Report). As a shorthand, the United States will refer to the four compliance chart sections and the corresponding Consent Decree paragraphs each chart

¹ "Partial compliance" indicates that ADOC and Tutwiler have achieved material compliance on some of the components of the relevant provision of the Consent Decree, but significant work remains. Doc. 118-1 at 10; Doc. 11 at II.B.

² Under the Consent Decree, "ADOC and Tutwiler shall comply with all provisions of PREA." Doc. 11 at III.A.1. PREA investigations that are not being conducted in accordance with PREA therefore are not in compliance with the requirements of the Consent Decree.

section covers as: (1) the Basic Standard (Doc. 11 § III.K.1-2), (2) the Documentation Standard (*Id.* at III.K.3, .5, .7-9), (3) the Notification Standard (*Id.* at III.K.11-15), and (4) the Review Standard (*Id.* at III.K.16-17). The United States' experts' review of Tutwiler's PREA investigation reports indicate a breakdown in all four compliance chart sections.³

For the Basic Standard (Doc. 11 § III.K.1-2, to include III.K.6)⁴, the United States submits that the State is only in partial compliance with III.K.2 and III.K.6, concerning timeliness, quality, and completeness of investigations. In reviewing the investigation reports, the United States' experts noted persistent issues with timeliness and delays in the investigations. Exh. B ¶ 6. In some instances, the delay directly impacted the State's ability to preserve needed video evidence. Exh. A ¶ 18. For example, in one investigation, experts reviewed an incident that was reported on April 11, 2023, but not assigned to an LESD investigator until May 7, with interviews conducted another two months later, on July 5. Exh. B ¶ 12. Another investigation was delayed at least a week due to an officers' failure to report the incident. Exh. B ¶ 14. Furthermore, eleven of the investigations failed to interview witnesses, as required by PREA and the consent decree. Exh. A ¶ 18; *see also* Doc. 11 at III.A.1 and III.K.6.

Our experts also found that in five investigations, PREA standards required that an administrative investigation be conducted in addition to a criminal investigation; however, the administrative investigations were either not completed or were inappropriately indistinguishable from criminal investigations and failed to consider administrative violations. Exh. B ¶¶ 10, 13;

³ The United States' does not challenge the Internal Monitor's evaluation of the other consent decree paragraphs covered by the four compliance chart sections, which includes III.K.1, III.K.3, III.K.4, III.K.9-11, III.K.13, and III.K.17. Concerns with the Challenged Provisions, however, still make partial compliance for the four corresponding chart sections appropriate.

⁴ The compliance chart fails to include III.K.6, which specifically deals with the preservation of evidence, interviewing witnesses, and reviewing prior relevant complaints and reports. The United States submits that this Consent Decree paragraph should be found in partial compliance and evaluated under the Basic Standard of the compliance chart.

see also Doc. 11 at III.K.2 (requiring administrative investigations “be completed regardless of the results of any criminal investigations”). The State was not able to document consistent compliance with investigative and evidence-collecting procedures and deadlines, and sample cases showed investigations that failed to interview witnesses, timeliness impacting the preservation of video evidence, and a lack of thoroughness and follow-up on information provided to the investigators. Exh. A ¶ 18. Delays and violations of PREA timelines lead to lost evidence and expose the incarcerated persons to risks of harm while the investigations are incomplete. *See* Exh. B ¶¶ 13-14. Because of these concerns with III.K.2 and III.K.6, the Basic Standard should be found in partial compliance.

For the Documentation Standard (Doc. 11 at III.K.3, .5, .7-9), the United States submits that the State is in partial compliance with III.K.5 and III.K.7-8⁵ regarding specialized training, reasoning behind credibility determinations, and completeness of the written investigative reports. The United States’ experts noted that the investigative procedures used by the Alabama Department of Corrections (ADOC), including interviewing an alleged perpetrator prior to speaking with the alleged victim or other witnesses, appeared “unusual” and were not in accordance with established investigative principles. Exh. B ¶¶ 14-16; *see also* Doc. 11 at III.K.5. Additionally, PREA requires investigators to assess why they do or do not trust the person, evidence, or information presented in a particular case. Exh. B ¶ 4; *see* Doc.11 at III.A.1 and III.K.7-8. This assessment is required to reconcile conflicts in testimony and draw sound and justified conclusions from the evidence. *Id.* But none of the 18 investigative reports provided by

⁵ In the United States’ Notice of Objections (Doc. 125), Consent Decree sub provision III.K.9 was identified as a paragraph that should be found in partial compliance for failure to provide an investigative summary of PREA investigations for the 16th monitoring period. Upon further review, the State provided a document in draft form that appears to meet the requirements of III.K.9. Thus, the United States no longer contests the Internal Monitor’s rating for this provision.

the State had sufficient credibility assessments of the evidence, as required by the PREA standards and the Consent Decree. Exh. A ¶ 18; Exh. B ¶ 4; *See* Doc. 11 at III.A.1 and III.K.7-8.

Furthermore, the investigative reports lacked thoroughness and failed to include required information to support their conclusions, including discussions about whether “staff actions or failures to act” contributed to the abuse allegations, and detailed reasonings and justifications behind the investigator’s facts and findings. *See* Exh. A ¶ 18; Exh. B ¶¶ 4, 10, 13-15; *see also* Doc. 11 at III.K.8. For instance, eight investigations involved incidents in the bathrooms; however, none of the investigative reports discussed how Tutwiler’s blind spots and known dangers in the bathroom areas may have contributed to the incident. *See* Exh. A ¶¶ 18 and 20. Additionally, it was difficult for the United States’ experts to determine how investigators came to certain conclusions in the investigative reports from the limited information documented. *See* Exh. B ¶¶ 13-15. Therefore, partial compliance is appropriate given these deficiencies with the Documentation Standard.

For the Notification Standard (Doc. 11 at III.K.11-15), the United States submits that concerns exist with the State’s determination of compliance with III.K.12 and III.K.14-15, regarding notification practices to complainants and alleged victims of PREA allegations. The United States’ experts noted that eleven investigations concerned a PREA allegation involving a staff member that required ADOC notify the alleged victim about that staff member’s whereabouts in the facility and current status of employment, but none of the eleven investigations documented that the requisite notice had been provided. Exh. B ¶ 5; *see* Doc 11. at III.K.14-15. Additionally, PREA standards and the consent decree require that the State inform the complainant of the outcome of its investigation once the investigation is complete. *See* Doc. 11 at III.K.12. For nine of the investigations where the State did provide proof that it sent the investigation outcome notices

to the complainants, the notices were written and dated prior to the completion of the respective investigations. Exh. B ¶ 9. Because the State repeatedly failed to follow the notification requirements for PREA investigations, partial compliance is the appropriate rating for the Notification Standard.

For the Review Standard (Doc. 11 at III.K.16-17), the United States submits that the State is in partial compliance with III.K.16, regarding the sufficiency of incident reviews by upper-level management of PREA allegations. In reviewing the investigation reports, the United States' experts noted delays in conducting the reviews of PREA investigations and deficiencies with Tutwiler's SAIR Team, including a failure to catch glaring oversights in the investigative process for these allegations. Exh. A ¶¶ 18-20; *see* Doc. 11 at III.K.16. Tutwiler administrators also approved investigation reports even though the investigators had not complied with prison policy and applicable federal standards. Exh. A ¶ 19. The records indicate that the State's process for reviewing investigations remains flawed. Partial compliance for the Review Standard section is therefore appropriate.

4. Why does the DOJ believe the staffing analysis is inadequate?

The shift relief factor used in ADOC's February 2023 staffing analysis for all of its major facilities is 1.70 (*hereinafter*, system-wide relief factor). Exh. A ¶ 8. When the United States and the former independent monitor requested a Tutwiler-specific relief factor, the State provided a shift relief factor of 1.69 (*hereinafter*, Tutwiler relief factor). *See* Exh. A ¶¶ 6-8.⁶ That the Tutwiler relief factor provided by the State resembles the system-wide relief factor so closely

⁶ The shift relief factor is important because it is the multiplier used to account for staff absences and scheduled days off work. Exh. A ¶ 7. It is used by ADOC to determine how many full-time employees are required to sufficiently staff a post at all times throughout the day and week that it must be staffed. *Id.* For instance, if a post must be filled 24 hours a day, seven days a week, the State's current relief factor (both system-wide and Tutwiler's) indicates a need for about 5 FTEs to be employed to ensure that post is adequately covered. Exh. A ¶ 8.

indicates that there may be flaws in the State’s calculation. Exh. A ¶ 8. Unlike the ADOC’s other major facilities included in the State’s system-wide analysis, Tutwiler is the only women’s facility.⁷ *See id.* There is little evidence ADOC’s staffing analysis for all its facilities considered specific circumstances at Tutwiler when determining how many posts are needed to sufficiently staff Tutwiler, including overtime usage or the prevalence of substantiated and unsubstantiated incidents of sexual abuse and sexual harassment. *See* Exh. A ¶¶ 3, 9-12. There is also little indication that ADOC considered blind spots in the camera system and physical plant, or the need for gender specific staffing as required under the consent decree (Doc. 11 at III.C.2), which could have necessitated a different shift relief factor for Tutwiler.⁸ *Id.* Tutwiler-specific incident histories, including reports about the unrestricted movement of incarcerated people and inadequate observation in the bathrooms, may further impact its staffing needs. Exh. A ¶¶ 11-12. In fact, when United States’ experts discussed the reported issue of individuals moving from housing unit to housing unit and changing bed assignments without permission, State personnel who prepared the State’s staffing analysis were unaware of this issue and how it might affect needed staffing. Exh. A ¶ 12.

When reviewing the underlying data in the State’s system-wide analysis, the United States’ experts also noted a lack of consideration for how *current* staffing levels at Tutwiler may influence the shift relief factor for the facility. Exh. A ¶¶ 9-10. For instance, Tutwiler has a high vacancy rate and consistently relies on overtime to staff the facility. Exh. A ¶ 9. Reliance on overtime

⁷ *See* Alabama Department of Corrections “ADOC Correctional Facilities - Major Correctional Facilities,” <https://doc.alabama.gov/FacAddr>.

⁸ In the State’s staffing analysis, it discusses the requirements of the Consent Decree and claims that the analysis considered those factors “in conducting the staffing analysis for Tutwiler.” *See* Alabama Department of Corrections, “Staffing Analysis and Facilities Shift Relief Requirements for the Alabama Department of Corrections” at 47-48, October 31, 2022 (updated February 17, 2023). This conclusory statement does not alleviate our concerns with the staffing analysis described herein.

could affect the State's staffing analysis because absent requiring employees to stay over their regular hours, posts for certain shifts would not have been filled. *Id.* This indicates a chronic deficiency in post coverage that can reveal information necessary for understanding the net annual work hours that should be assessed by a comprehensive staffing analysis (and corresponding relief factor). *See id.*

Additionally, the State currently relies on contractors to staff certain posts and accounts for Correctional Officer Trainees (COTs) in its staffing totals. Exh. A ¶¶ 13-14. However, contractors and COTs are not fully functional security staff and have limited job capacities. *Id.* There is no indication that the State considered or even differentiated between posts that can be covered by qualified officers from those appropriate for trainees and contractors in its staffing analysis or the Tutwiler relief factor calculation. Exh. A ¶ 14. This information may impact Tutwiler's relief factor as it relates to the net annual hours worked by those individuals who are qualified and can staff posts in need of coverage. *See* Exh. A ¶¶ 9 and 14. Furthermore, accounting for contractors or other personnel with limited law enforcement certifications in the State's total staffing numbers is not sufficient to offset the State's staffing needs and is another indicator that the State's staffing analysis may be deficient. Exh. A ¶ 14.

The United States' concerns with the accuracy of the State's staffing analysis, corresponding staffing plan, and Tutwiler relief factor, are reinforced by the "Julia Tutwiler Prison for Women's Staffing Status Report," submitted by the State to the United States in January 2023.⁹ This staffing status report for Tutwiler indicates a "desired staffing level" for security personnel at

⁹ Alabama Department of Corrections Office of Women's Services, "Julia Tutwiler Prison for Women's Staffing Status Report," for reporting period July 29, 2021 – July 28, 2022 (submitted January 2023).

Tutwiler of 244.¹⁰ Exh. A ¶ 15. However, ADOC’s updated February 2023 Staffing Analysis indicates a “recommended security staffing” for Tutwiler of 188.26 (for officers) and 26.40 (for command staff) for a total of 214.56.¹¹ That these staffing recommendations do not align indicates a deficiency in the State’s analysis and understanding of Tutwiler’s specific staffing needs. *Id.*

The above observations indicate that the State’s current staffing analysis, corresponding staffing plan, and Tutwiler relief factor may not accurately reflect Tutwiler’s daily operational needs and the staffing required to operate Tutwiler safely. *See id.*

5. What specific needs of Tutwiler does the staffing analysis fail to address?

It is unclear if the February 2023 system-wide staffing analysis considers important factors unique to Tutwiler and required by the Consent Decree. Problem trends, such as people moving unrestricted between housing units, changing bed assignments without permission, and engaging in illicit activities in the bathrooms, should be acknowledged and considered when making staffing decisions, as required by the consent decree. Doc. 11 at III.C.2(ii); *see* Exh. A ¶¶ 11-12.

The staffing analysis should further be revised to better distinguish between posts filled at Tutwiler by certified officers versus less qualified contractors and staff. Exh. ¶¶ 13-15. Relatedly, staffing needs where positions are historically covered by overtime at Tutwiler should be evaluated to reflect what needs exist when the State is not requiring mandatory overtime for post coverage. *See* Exh. A ¶ 9. Examining overtime use affects the relief factor calculation as it may reveal whether the staffing for a particular post truly reflects the post’s workload and what really happens

¹⁰ *Id.* at 3.

¹¹ Alabama Department of Corrections, “Staffing Analysis and Facilities Shift Relief Requirements for the Alabama Department of Corrections,” at 52, October 31, 2022 (updated February 17, 2023).

day-to-day in that area. *Id.* Finally, the shift relief factor evaluation must consider whether gender-specific posts change that evaluation. Doc. 11 at III.C.2(ii); *see* Exh. A ¶ 3.

6. As far as the DOJ is aware, does the staffing analysis use the same staff-to-inmate ratio for men’s and women’s’ facilities?

The State’s relief factor ratio for its major men’s facilities (the system-wide relief factor) of 1.70 and the Tutwiler relief factor of 1.69 are almost identical. These ratios therefore produce virtually identical staffing recommendations for Tutwiler compared to ADOC’s major men’s facilities. *See* Exh. A ¶ 8.

The system-wide relief factor of 1.70 used in ADOC’s February 2023 staffing analysis was calculated by averaging leave used in FY 2017, 2018, 2019, 2020, and 2021 across all ADOC facilities.¹² *See* Exh. A ¶ 4. The Tutwiler relief factor of 1.69 was calculated using certain Tutwiler specific training and leave data. *See* Exh. A ¶ 9. Beyond this leave and training data, however, the State did not provide details and documentation explaining how the Tutwiler relief factor considers gender responsive staffing requirements and other unique characteristics of the facility.

¹² *See* Alabama Department of Corrections, “Staffing Analysis and Facilities Shift Relief Requirements for the Alabama Department of Corrections,” October 31, 2022 (updated February 17, 2023).

Respectfully submitted this 4th day of March 2024,

MaryLou E. Bowdre
Assistant United States Attorney
UNITED STATES ATTORNEY'S OFFICE
MIDDLE DISTRICT OF ALABAMA
131 Clayton Street
Montgomery, AL 36104
Office: (334) 223-7280
Email: MaryLou.Bowdre@usdoj.gov

Steven H. Rosenbaum
Chief
Maura M. Klugman
Deputy Chief

/s/ Christopher N. Cheng
PA Bar #69066
Christopher N. Cheng
Ariona Jean-Johnson
Trial Attorneys
U.S. DEPARTMENT OF JUSTICE
SPECIAL LITIGATION SECTION
CIVIL RIGHTS DIVISION
950 Pennsylvania Avenue NW
Washington, D.C. 20530
Phone: (202) 514-8892
Email: christopher.cheng@usdoj.gov

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing United States' Report to the Court Pursuant to Order, Doc. 127 (Feb. 20, 2024), has been served via CM/ECF on all counsel of record this 4th day of March 2024.

s/Christopher N. Cheng
Christopher N. Cheng (PA #69066)
Trial Attorney
U.S. Department of Justice
Special Litigation Section
Civil Rights Division
4 Constitution Square
150 M. Street N.E. – Room 10.1128
Washington, D.C. 20530
Telephone: (202) 514-8892
Email: christopher.cheng@usdoj.gov

Exhibit A

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 STATE OF ALABAMA AND)
 ALABAMA DEPARTMENT OF)
 CORRECTIONS,)
)
 Defendants.)

Case No. 2:15-cv-00368-MHT-CWB

DECLARATION OF SHELLEY HARRINGTON

Pursuant to the provisions of 28 U.S.C. § 1746, I, Shelley Harrington, do hereby declare:

1. I am a private corrections consultant, former Human Resource Director for a state prison and law enforcement agency, former pre-trial services division administrator, licensed attorney in the state of Hawaii, labor arbitrator, and a certified Prison Rape Elimination Act (“PREA”) auditor. A copy of my curriculum vitae is attached as Exh. A-1.

2. At the request of the United States Department of Justice (“DOJ”), I toured the Julia Tutwiler Prison for Women (“Tutwiler”) on September 19-21, 2023, to provide an expert opinion as to whether the facility complies with a consent decree and PREA standards. I interviewed Tutwiler inmates and staff, including administrators, training staff, classification staff, investigators, medical and mental health contractors, and others. I also reviewed documents, including the most recent Alabama Department of Corrections (“ADOC”) staffing analysis (which covers Tutwiler), Tutwiler’s Staffing Status Report conducted by the Office of Women’s Service’s, Women’s’ Risk and Needs Assessment study documentation, staffing

records, policies, incident reports, investigations, grievances, disciplinary reports, and other documents.

3. I believe the Tutwiler staffing analysis needs continued refinement and auditing. As explained below, the analysis does not adequately reflect realities of Tutwiler's actual operations, design, and the gender-related needs of its population.

4. State personnel prepared and revised the most recent, February 17, 2023, staffing analysis after holding meetings with state consultants, shadowing facility staff, interviewing inmates, observing shifts, obtaining leave data from the state personnel management system, and comparing staff's actual duties with position descriptions and post orders. State personnel attributed the training they received from consultants, Meg and Russ Savage, as the foundation for the system-wide staffing analysis.

5. I understand that the State reviews the staffing analysis annually and updates it bi-yearly. The state updates the PREA staffing plan annually.

6. When developing a staffing analysis, the National Institute of Corrections ("NIC") recommends a process that includes the thorough review and consideration of facility data to assess risks and needs. At Tutwiler, State personnel I spoke with were able to articulate these general principles for developing a staffing analysis, consistent with NIC recommendations; however, they were unable to provide the underlying documentation, data, and explanations to demonstrate that they applied those general principles correctly when conducting the analysis.

7. The staffing analysis has at least two major problems. First, the relief factor calculated by ADOC does not consider important variables, such as overtime usage, needed to achieve a sound calculation. A "relief factor" is the number of full time equivalent ("FTE") staff

needed to fill a relieved post for a single shift. In other words, it is a multiplication factor, derived from a careful analysis of staffing hour needs per post and the hours actually worked by employees, that determines how many employees are needed to staff a specific post for the hours when that post needs to be filled.

8. State personnel indicated that Tutwiler's relief factor is calculated as 1.69 for a 24 hour per day, 7 day per week post, and the overall relief factor for ADOC is 1.70. This means that for each post that requires staffing 24 hours per day, 7 days per week at Tutwiler, around 5 FTE employees are needed to ensure that single 24/7 post remains filled throughout all working shifts. As an initial observation, the fact that the Tutwiler relief factor provided by the State resembles the system-wide relief factor so closely indicates that there may be flaws in the State's calculation, given that Tutwiler is uniquely different in both population type and the services provided compared to ADOC's major men's facilities.

9. The State did provide the underlying leave hours and training data it used to calculate the net annual work hours which led to Tutwiler's relief factor of 1.69. I therefore reviewed the numbers calculated by the State and noted that variables such as the use of overtime at Tutwiler, the amount of vacant posts at Tutwiler, and the hiring timeline and time required at the training academy were not considered. This is especially concerning for a facility such as Tutwiler that relies on mandatory overtime and has over a 50% vacancy rate because absent requiring employees to work beyond their standard work hours, those posts for those shifts would not have been filled. Thus, examining overtime used to cover vacancies and leaves affects the relief factor calculation as it can reveal information necessary for understanding the net annual work hours, which would better reflect the daily operational needs for posts at Tutwiler. The current relief factor assessment also does not allot time for staff breaks, which again skews

the reality of how many employees are indeed needed to ensure a 24/7 post is actually staffed 24 hours a day, 7 days a week. The fact that Tutwiler heavily relies on the use of overtime to fill positions, including supervisor overtime to fill line posts, indicates concern for the accuracy of its staffing analyses, as the NIC specifically warns that high use of overtime may indicate problems with a facility's relief factor and a new analysis may be needed.

10. Second, the security posts identified in the State's staffing plan are not justified and appear to be inconsistent with actual operations at the facility. The February 2023 ADOC staffing analysis specifically states that it does not consider "current staffing levels, vacancy rates, and posting practices" in the development of the recent staff analysis and post plan for Tutwiler. ADOC's analysis indicates that its staffing post plan, which should identify needed staffing posts to operate the facility safely, instead reflects the "optimal staffing patterns" for facilities reviewed, and not current staffing levels. (*See* pg. 57 of the ADOC Staffing Analysis Updated February 17, 2023).

11. State personnel had difficulty justifying the number of security staff and posts it assigned to Tutwiler. Those numbers should be based on a documented data analysis to assess the health, safety, security, and sanitation obligations of Tutwiler. And this documentation should be readily available to evaluate the accuracy of the State's calculations. For instance, any analysis about required staffing levels should consider the actual risk level of each housing unit and posts. The State does not appear to take this information into account, as the State was not aware, and could not explain, a reported issue with inmates moving about the housing units and changing bed assignments without staff permission. In this case, for example, a staffing analysis may determine more security posts are required in the housing units with the most unrestrained movement. Similarly, the State also did not thoroughly consider adjusting staffing needs to

address incidents occurring in bathrooms or out of sight of cameras, as I would expect of a comprehensive staffing analysis concerning a facility with chronic incidents occurring in the bathrooms.

12. Incident reports and observations should have given the State an indication that it needed to consider these issues when analyzing staffing. But State personnel who prepared the staffing analysis were not even aware of the unauthorized movement issue, and they simply noted that certain incidents occurred in bathrooms or out of the sight of cameras without trying to address the safety concern through housing unit security post changes. Such oversights indicate that the personnel who worked on the staffing analysis did not sufficiently incorporate Tutwiler-specific incident reports from the Risk Management System, when completing the staffing analysis. If the State had included these specific considerations in its analysis, there would likely be an increase in the number of identified posts needed at Tutwiler to account for the security needs and current situation on the ground at the facility.

13. Tutwiler utilizes third party Allied Security contractors to cover staff posts that do not require inmate contact or specialized training. Although a necessary measure given the significant security staff vacancies, it is not an ideal situation. Allied Security contractors are not fully trained nor fully operational correctional staff. Their abilities are limited to mainly non-contact positions within the facility.

14. Similarly, Tutwiler accounts for recently graduated Correctional Officer Trainees (“COTs”) in its staffing totals on the daily shift schedules. COTs are unable to function independently as they are still in training and cannot staff all posts identified. It does not appear that the State differentiated between posts that can be covered by qualified officers from those appropriate for trainees and contractors in its staffing analysis or staffing plan, which could

impact its relief factor calculation. Accounting for contractors or other personnel with limited law enforcement certifications in the State's total staffing numbers is not sufficient to offset the persistent shortcomings with the staffing plan, and indeed is another indicator that Tutwiler's staffing analysis is deficient.

15. If the staffing analysis and corresponding staffing post plan and relief factor were done correctly, the resulting FTE security staff indicated would provide Tutwiler with sufficient staffing numbers to manage its mission, operations, and population. This does not appear to be the case with Tutwiler. For instance, in "Tutwiler's Staffing Status Report" conducted by the Office of Women's Services, Tutwiler's "desired staffing level" is 244 security positions. This report reflects different security personnel recommendations for Tutwiler than the State's February 2023 staffing analysis. The discrepancies between the information in these two staffing reports again indicates deficiencies in the State's staffing analysis and staffing plan, as it relates to Tutwiler. All the deficiencies discussed indicate to me that ADOC's staffing analysis and corresponding staffing post plans and relief factor are not sufficiently accounting for the specific needs and current staffing realities at Tutwiler and require additional updating and refinement to assist the State in developing an adequate plan for staffing at the facility.

16. As a part of my assessment of Tutwiler, I also reviewed 18 "Sexual Abuse Incident Reviews" ("PREA reports") that were conducted by Tutwiler's Sexual Abuse Incident Review ("SAIR") Team (or "Review Team") for allegations made January 1 – June 1, 2023. I reviewed five of those PREA reports with representatives of the State's Law Enforcement Services Division ("LESF") that oversees Tutwiler's investigations.

17. Based upon my review of the PREA reports, I believe that Tutwiler's PREA investigation process does not meet federal standards, including the PREA Standards. I

repeatedly found that PREA investigations did not meet timelines, did not comply with documentation requirements, did not include necessary interviews, did not include required credibility determinations of the evidence, and did not include complete document, video and other evidence gathering. I also found that the PREA reports indicate a need for improved investigative procedures, including more thorough interviews and better documentation of process, analysis, and justifications for findings. A summary of the concerns I identified within the 18 investigative files approved by the Review Team follows.

18. Of the investigative files provided by the State and reviewed, 8 out of the 18 investigations involved incidents that occurred inside of the bathrooms, which is a known issue area and blind spot for the Tutwiler facility. 11 out of the 18 investigations failed to interview all potential witnesses. 8 out of 18 investigations experienced a delay that impacted the State's ability to properly preserve video evidence. 15 out of the 18 investigations missed key opportunities for investigative follow-up that undermined the thoroughness of the investigation and its conclusions. 8 out of the 18 investigations were not reviewed by the SAIR Team within 30 days of completion, as required by the PREA standards and the consent decree. 18 out of the 18 investigations failed to make required credibility determinations on the evidence, as required by PREA and the consent decree. Finally, proof documentation was not provided by the State, as required by PREA and the consent decree, that show any of the 18 investigations were appropriately monitored for retaliation against the complainant and others, though Tutwiler staff did indicate that this monitoring was indeed done.

19. I am concerned that the SAIR Team, which includes management level staff meant to provide oversight and address concerns about past investigations, and improve Tutwiler's investigative process, concluded that the reviewed investigations were adequate even

though there were clear oversights and errors. The Review Team is therefore not being utilized effectively, as the process is not being used as a check and balance for the investigation process.

20. The Review Team should be used to assess incidents and identify root causes or required improvements in Tutwiler's practices, as intended by PREA and the consent decree. For instance, existing documentation indicates that serious misconduct is occurring in bathroom areas, but the Review Team and management's response has been focused on why privacy concerns prevent placing cameras in the bathroom areas. Recommendations from the Review Team based on careful and detailed assessments could also lead to a review of Tutwiler's post plan and relief factor, ultimately resulting in an improved staffing analysis.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3/4/2024.

Shelley Harrington

Shelley Harrington

3/4/2024

Date

Exhibit A-1

Shelley D. Harrington

EDUCATION

William S. Richardson School of Law, Juris Doctorate Degree (J.D.). 1996 - 2000
University of Hawai'i at Manoa, Graduate School: Social Work. 1988 - 1989
University of Hawai'i at Manoa, Bachelor's Degree in Social Work (B.S.W). 1983 - 1988

PROFESSIONAL EXPERIENCE

Department Human Resources Officer IV 2020 to Present
State of Hawai'i, Department of Public Safety

Serves as the Department Human Resources Officer responsible for the management and administration of all aspects of Human Resources for the department. Oversees the management of 2000+ staff, contractors, and volunteers assigned to provide services to PSD. Responsible policy development; position classification and pay administration; recruitment, hiring and suitability assessments; employee performance process; employee development, transactions and employee relations including FMLA, TDI, Leave Share, Workers' Compensation; labor relations including grievance, arbitration, arbitrations, consultations, and contract interpretation and negotiations; civil rights compliance; health and safety programs, records retention; and program development and evaluation. Responsible for the application of all labor and employment laws for the department and is the liaison for the department at Court Hearings in federal and state court, Merit Appeals Board Hearings, Hawaii Labor Relations Board Hearings, and Hawaii Labor Board Hearings.

Intake Service Center Division Administrator 2016 to 2020
State of Hawai'i, Department of Public Safety

Serves as the Division Administrative for the Intake Service Centers on all islands throughout the State of Hawai'i. Manages the pre-trial services for the State by providing direct services to the Judiciary and the department, while evaluating alternatives to placement in a correctional facility. Manages alternatives to incarceration through placement on supervised release and ensuring compliance with terms and conditions. Manages the retake process for violations of supervise release by working directly with the Judiciary, the Prosecutor, Defense Counsel and other programs. Manages the processing of all admission for the State into the department by conducting evidence-based assessments and screening for intermediate sanctions, classifications, medical and mental health screening, PREA, and other aspects of the intake process.

Inspection and Investigation Officer 2015 to 2020
State of Hawai'i, Department of Public Safety

Provides administrative direction for and operational oversight over the Inspections and Investigations Office (IIO). Oversees the operations of the Department's Employee Pre-Disciplinary Hearings Process; Audits and Inspections Process; Inmate Grievance and Appeals Process; Department Policy and Procedure Coordination; Department

Environmental Health and Safety Program; Security Planning and Coordination; and All Hazards Emergency Planning and Coordination. Serves as the administrative head responsible to ensure all Department programs fully comport to all applicable laws, rules, regulations, and policies and procedures.

Department of Justice Certified Prison Rape Elimination Act Auditor 2014 to Present
State of Hawai'i, Department of Public Safety

Affiliated through the Department of Public Safety as a Special Assignment to assist with Hawaii's role in the Western State Consortium Agreement that manages "circular auditing" process between Hawaii, Washington, Oregon, California, Los Angeles County Sheriffs, Nevada, Colorado, New Mexico, North Dakota, Montana, and Wisconsin. Responsible for ensuring the audited facility's compliance with the DOJ National PREA Standards, which consist of 248 subsections. Duties and obligations focus on ethics, time management, compliance with Auditor Handbook, preparing interim and final audit reports, and updated training mandates.

Litigation Coordination Office, Litigation Officer 2011 to 2016
State of Hawai'i, Department of Public Safety

Administrator responsible for conducting legal research, writing, ensuring compliance with the Uniform Information Practices Act (92-F) and monitoring the current legal issues affect the department in corrections, law enforcement, and administration. Administrator of the Litigation Coordination Office, responsible for developing program plans, staffing plans, management guidelines and supervising subordinate legal professionals related to offender management issues. Serves as the department's "person of interest" for all litigation filed in the United States District Court, District of Hawai'i by pro se plaintiffs and represented individuals. Manages the department's tort claims, civil rights litigation, tort litigation, inmate sentence calculations, DNA collection, Prison Rape Elimination Act and other subject matters relevant to Corrections and Law Enforcement. At the discretion of the Director, assigned various special projects in additional to my regular assignments, based on my knowledge, skills, and abilities. Task with ensuring compliance in the areas of attendance programs, family leave provisions, DNA collection, and release of information to other entities.

Responsibilities involves performing work that is sensitive, encompasses difficult and complex situations. Furnishes advisory services to the Director and other top-level managers about aspects of program development and evaluations. The departmental advisory person to deal with specific issues related to the collective bargaining agreement for HGEA and UPW that impact the department.

SPECIAL ASSIGNMENTS

Designated Instructor/Trainer for administrators, supervisors, investigators, and departmental employees. Training responsibilities included developing lesson plans and conducting training for: 1) Collective Bargain Unit contract application/interpretation, 2) Standards of Conduct for Corrections and Law Enforcement, 3) The Law in Corrections, 4) Supervisory Training Classes, 5) How to Conduct Investigations, 6) Workplace Violence Training Classes, 7) Family Leave, and 8) Prison Rape Elimination Act.

Independent Arbitrator and Mediator 2005 to Present

Sole Proprietor

Independent Arbitrator and Mediator, who has handled case referrals from the State of Hawai'i, Hawai'i Labor Relations Board, the State of Hawai'i, Judiciary, Court Annexed Arbitration Program, and the Office of Disciplinary Counsel. Duties and obligations as an arbitrator involve a complex analysis of conducting a hearing, assessing the creditability of testimony, review written briefs, and rendering a concise decision based on the application of the law, evidentiary rules, governmental rules and procedures for the State of Hawai'i, for various County entities and the relevant collective bargaining agreements (HEGE, UPW, UHPA, HFFA, and SHOPO) . Conducts the arbitration hearing in such a manner as to ensure a fair and expeditious disposition of the proceeding, based on the relevant laws and/or collective bargaining agreements.

Employee Disciplinary Hearings Officer 1996 to 2013

State of Hawai'i, Department of Public Safety

The Hearings Officer is the administrative officer representing the Director at statewide due process hearings. Regularly performs the most difficult and complex assignments and projects relating to a variety of different functional areas of the department's administrative disciplinary process and labor relations. Renders formal findings for the Director's review, affirmation, or modification of pre-disciplinary charges based on the cases submitted by administrators and supervisors within the department against an employee for violations of the departmental Standards of Conduct, policies, procedures, rules, statutes, laws and other misconduct provisions. Temporarily assigned to the position of Administrator of the Inspections and Investigations Office (EM-05).

Represents the Director statewide in judicial and quasi-judicial proceedings related to disciplinary decisions and discharge actions. The department's representative in court, arbitration hearings, worker's compensation hearings, unemployment hearings, labor appeals hearings, and Merit Appeal Board cases.

Correctional Supervisor 1990 to 2002

State of Hawai'i, Department of Public Safety
Halawa Correctional Facility

As a mid-level manager, the Correctional Supervisor (CS) is responsible for maintaining standards for planning, directing, controlling and monitoring all prison activities within the assigned management population unit. The Correctional Supervisor provides direct supervision of all line level staff: Social Workers, Adult Correctional Officers, Clerical staff and other Support staff. Plans and directs the work of others by assigning task that is subject to immediate review by the Correctional Supervisor. Advises line level staff on difficult problems and monitors the respective work assignments. The Correctional Supervisor provides training to unit staff regarding departmental policies and ensures quality control supervision. Develops unit master program plans, which clearly defined the unit's mission and objectives for correctional program management, case management, security, and custody.

Social Worker II - IV 1988 to 1990

State of Hawai'i, Department of Public Safety
Halawa Correctional Facility

Responsible for social case management and counseling to an assigned caseload of about 150 inmates involving basic assessment duties, program planning/monitoring and evaluation, individual counseling, and networking with other community resources. Worked closely with others in the managing of "Unit Teams", to develop and implement line level programs and policies as the administration's line level designee within the individual housing units.

VOLUNTEER WORK

Disciplinary Board of the Hawai'i Supreme Court **2012 to Present**
Mediator and Hearings Officer for Attorney Misconduct Cases.

Hawai'i Law Enforcement Memorial Foundation **2010 to 2013**
Committee Volunteer.

HSBA Labor and Employment Section Officer **2006 to 2021**
Positions held include Chairperson, Vice Chairperson, and Secretary/Treasurer.

Arbitrator for the Hawai'i Court Annexed Arbitration Program 2005 to Present
Conducts arbitration hearings for civil matters as an alternative to formal court proceedings.

LICENSES

Certified Department of Justice, Prison Rape Elimination Act Auditor **2014 to Present**
Certified to conduct and manage DOJ PREA Audits at the Nation's jails, prisons, community correctional centers and juvenile detention facilities.

Examiner for the National Institute for Truth Verification **2004, Renewals**
Certified Computer Voice Stress Analysis in Investigations.

Licensed to Practice Law **2000**
Admitted to the Hawai'i State Bar and the United States District Court for the Hawai'i District.

AELE Public Safety **December 2022**
Internal Affairs/Discipline Investigator Level I

SKILLS AND CERTIFICATES

Arbitration Skills, Labor Relations and Decision Making
Correctional Unit Team Case Management
Crisis Intervention Tactics
Discipline and Discharge in Law Enforcement and Corrections
Discrimination in the Workplace
Drug and Alcohol Testing Training for Supervisors
Facilitator Training
Family Medical Leave Act: Ensuring Compliance
Investigations and Contract Interpretation
Leadership Institute for HSBA
Mediation Skills: Achieving a Win-Win
Mental Health Assessment

Exhibit B

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:15-cv-00368-MHT-CWB
)	
STATE OF ALABAMA AND)	
ALABAMA DEPARTMENT OF)	
CORRECTIONS,)	
)	
Defendants.)	

DECLARATION OF MELINDA ALLEN

Pursuant to the provisions of 28 U.S.C. § 1746, I, Melinda Allen, do hereby declare:

1. I am a private corrections consultant, former jail commander, technical assistance provider, and auditor for the Prison Rape Elimination Act (“PREA”) Resource Center. A copy of my curriculum vitae is attached as Exh. B-1.

2. At the request of the United States Department of Justice, I toured the Julia Tutwiler Prison for Women (“Tutwiler”) on September 19-21, 2023, to assess whether the facility complies with a consent decree and PREA standards. I interviewed inmates and staff, and reviewed pertinent policies, procedures, investigations, grievances, disciplinary reports, incident reports, and other information from the facility before, during, and after the tour.

3. My review included 18 “Sexual Abuse Incident Reviews” (“PREA reports”) that were conducted by Tutwiler’s Sexual Abuse Incident Review (“SAIR”) Team (or “Review Team”) for allegations made between January 1 – June 1, 2023. I reviewed the first five of those PREA reports with representatives of the State’s Law Enforcement Services Division (“LES”), the Alabama Department of Corrections (“ADOC”) division that investigates PREA complaints.

The most glaring concerns identified within the 18 investigations provided by the State are discussed below.

4. All investigations produced by the State lacked sufficient credibility assessments of the evidence, as required by the PREA standards and the consent decree. I will note, 5 out of the 18 investigations indicated some form of credibility assessment occurred, but not adequately to suggest the PREA standards as to credibility determinations are being met. According to the PREA Resource Center (2023), the investigator must assess, among other things, why they do or do not trust the person, evidence, and information, what supporting evidence there is, or how the evidence supports the findings. Investigators must assess the credibility of witnesses, victims, and suspects as part of investigations into sexual abuse or sexual harassment and delineate the reasoning behind the credibility assessments. The investigator must describe the evidence, tie it to the allegation, and analyze if it supports or refutes the elements of the allegation. This was not done for any of the 18 investigations reviewed.

5. Following an allegation that a staff member has committed sexual abuse or sexual harassment against the complainant, the ADOC and Tutwiler must inform the inmate whenever the staff is no longer posted within the inmate's unit, the staff member is no longer employed, or if ADOC and/or Tutwiler learn that the staff member has been indicted or convicted on a charge related to sexual abuse within Tutwiler. 11 of the of the 18 cases reviewed required this form of notice to the alleged victim, but no notice was provided.

6. 12 of the 18 investigations were initiated late, which undermined the promptness and thoroughness of the investigations.

7. SAIRs are required within 30 days of the close of the investigation. It is my opinion that 8 of the 18 investigations show that the SAIRs were completed late.

8. The State was not able to produce documentation for any of the 18 investigations to support their claim that ADOC is conducting retaliation monitoring as required by PREA and the consent decree to ensure protective measures are taken to keep inmates who use the PREA complaint process safe.

9. In 9 of the 18 cases, notifications to inmates about the outcome of their complaint were written and dated before the investigation was even completed. The State informed me that this was a clerical error. However, given how many times this occurred it raises concerns about whether that is indeed the case.

10. There are circumstances under the PREA standards where both an administrative and a criminal investigation of an allegation of sexual abuse or sexual harassment must be completed. For instance, during a criminal investigation, if a criminal investigation brings charges, but no conviction, or, if a criminal investigation does not bring any criminal charges against the alleged suspect, then, in these two circumstances, the agency must conduct a separate administrative investigation. 5 out of the 18 cases required that an administrative investigation be completed in addition to the criminal investigation, but the administrative investigations were not completed.

11. Below I discuss specific case examples to illustrate the above issues I identified within Tutwiler's investigative process. These examples depict concerns that were identified throughout the 18 investigative files I reviewed.

12. INV#23-0413: The investigation was not prompt or thorough. The case was reported on April 11, 2023. It is unclear when the case was referred to LESD, but it was not assigned to an investigator until May 7, 2023. The investigator interviewed the alleged perpetrator and victim on July 5, 2023. No witnesses were interviewed, though there were

several individuals present during the altercation. No credibility assessment was provided. The SAIR was conducted on August 29, 2023, within the 30-day requirement of the completion of the investigation, but the victim was notified of the closure of the investigation on July 6, 2023, before the SAIR review, when she was served written notice that the case was unsubstantiated. The case file indicates that retaliation monitoring was conducted but documentation of the monitoring was not provided.

13. INV#23-0244: The incident was reported on March 1, 2023; the allegations occurred in December 2022. No inmate witnesses were identified. No administrative investigation was completed, even though there were several allegations in this case that should have been considered in an administrative investigation. For example, this includes whether the officer brought in food to give to the victim; allegations that the inmate was in the wrong housing unit; and allegations of a personal relationship with the officer. The case was marked as a criminal case, but the investigator applied the standard of proof for an administrative case (i.e., the preponderance of the evidence standard). The investigative report did not clarify if the investigator conducted both a criminal and an administrative investigation, though both were required in this investigation per PREA standards and the consent decree. Additionally, the SAIR was conducted on May 17, 2023. It appears as though the investigator was not part of the incident review. The consent decree and PREA Standard 115.86 (c) states, “The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.” The investigator reviewed the case on May 22, 2023, but was not a part of the May 17, 2023, review. While the team could use the investigative file for input, it is not as informative as having the investigator present to discuss the merits of the case.

14. INV#23-0010: The case was initially reported the week before January 10, 2023. However, the officer who received the report failed to act and report the incident, in violation of PREA Standards and ADOC policy. The following week, the complainant reported the incident again. ADOC advised the LESD of the incident on January 10, 2023. An investigator was assigned to the case on February 22, 2023. It is critical to note here that video footage could have been preserved if the investigation had started sooner, or if Tutwiler had preserved all footage in the unit during the period of the incident. The investigator reported that there was no video footage to review “due to the inmate not providing a specific date and time of the alleged incident.” However, this information could have been ascertained from the officer’s report about the incident. This indicates that the investigator did not follow up with the officer’s report. The investigator started by interviewing the alleged perpetrator, followed by the victim on February 28, 2023. I found it unusual that the alleged perpetrator was interviewed first. Typically, the victim and witnesses are interviewed before the perpetrator so the investigator would be better informed of the timeline and details of the case before interviewing the alleged perpetrator. The investigator served the alleged victim with a notice of the outcome of the investigation, but the notice indicated that the “Harassment” was substantiated. However, the act alleged in this investigation does not meet the definition of sexual harassment. Rather, the act does fit the definition of sexual abuse, which includes intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person, excluding contact incidental to a physical altercation. The investigative report did not demonstrate that the credibility of those interviewed was assessed. Further, no documentation of the retaliation monitoring was provided as required by PREA.

15. INV#23-PRE-0030: The allegation occurred and was reported on January 26, 2023. It is unknown who contacted the investigative unit or when this incident was referred to the investigative unit after it was reported. The investigator was assigned the case on February 13, 2023. The investigator interviewed the alleged perpetrator first, on February 15, 2023. Again, it is not known why the investigator interviewed the alleged perpetrator before speaking with the victim to establish more details and insight. The perpetrator did not deny sexual contact but indicated the victim owed her and other inmates' money. The investigator did not ask directly if there was a sexual act that occurred. The investigator indicated that the camera footage corroborated that the individuals were in the restroom together but did not indicate how long they were in the restroom, or the appearance of the individuals when they left the restroom. The investigator's report was completed on February 27, 2023, and approved on February 28, 2023. A memorandum was written by the investigator on February 27, 2023, advising the alleged victim that their complaint of sexual harassment was substantiated, but it was not given to the alleged victim until May 11, 2023. It is unknown how the investigator determined that this was sexual harassment rather than sexual abuse. There was no credibility assessment documented in the report. The SAIR report provided a different date of the incident, March 5, 2023. The SAIR report was completed late, beyond the 30-day requirement of the PREA standards. Finally, retaliation monitoring was noted but no documentation was provided to support the claim that it occurred.

16. As depicted by the above examples, and based upon my review, I believe that Tutwiler's PREA investigation process does not meet federal standards, including those spelled out by PREA itself. I also found that the PREA reports indicate a need for improved

investigative procedures, including more thorough interviews and better documentation of process, analysis, and justifications for findings.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 4, 2024



Melinda Allen

March 4, 2024

Date

Exhibit B-1



Melinda
Allen

Expert Witness / Consultant

A B O U T M E

Served as a consultant, technical assistant, corrections consultant and expert witness involving corrections practice and institution operations/security, policy, procedures and practices to include

implementation of the Prison Rape Elimination Act.

Progressively promoted from deputy sheriff to commander in a large metropolitan sheriff's office.

EDUCATION

Master Public Administration(MPA)

Columbus State University,
2001-2003, Summa Cum Laude

Georgia Chiefs of Police

Command College
2001-2002

Bachelor of Science Criminal Justice

North Georgia College
1999-2000, Summa Cum Laude

AA/AS

Gainesville Jr. College
1983-1998

HONORS

Police Officer of the Year, Georgia Bar Assoc. 2013
Detention Administrator of the Year, Georgia, 2012
President's Award, Georgia Jail Association, 2011
Achievement Award, GCSO, 2011
Meritorious Service Award, GCSO, 2011
Training Officer of the Year, Georgia Jail Assoc 2008

EXPERIENCE

Auditor/Consultant

Melinda Allen & Associates, LLC/ Braselton/ 2014-Present

Provided consultant services to agencies nationally to assist in compliance with the Prison Rape Elimination Act

- PREA Auditor
- Consultant

Technical Assistant/ Field Training Auditor

PREA Resource Center

Provided Technical assistance to agencies across the country for PREA Compliance

- Provided Coaching to agencies in need
- Assisted in the development of the PREA On Site Audit process
- Provided instruction and guidance to auditors in training

Consultant

The Moss Group/Washington, DC/2011-2022

Provided consultant services to agencies nationally to assist in compliance with the Prison Rape Elimination Act

- PREA Auditor
- Consultant for implementation of PREA
- Conducted Mock Audits
- Developed policies, procedures, and implemented practices
- Assisted in the development of a Warden's Manual

Captain

Gwinnett County Sheriff's Office/Lawrenceville, GA/2001-2014

Progressively promoted during career starting at Deputy Sheriff and rising to command staff within the organization.

- Jail Administrative Captain
- Training Commander
- Maintenance and Support Services Commander

Lieutenant

Gwinnett County Sheriff's Office/Lawrenceville, GA/1998-2001

Responsible for the day-to-day operations of the Evening Watch

- Evening Watch Commander
- Police Instructor/Training Officer

Sergeant

Gwinnett County Sheriff's Office/Lawrenceville, GA/1994-2001

Supervision of day-to-day shift operations.

- Detentions
- Civil/ Court Services

Deputy

Gwinnett County Sheriff's Office/Lawrenceville, GA/1989-1994

Oversight of detention detainees, prevent commission of crime, apprehend, arrest and process criminals, served court orders, civil service and documents.

- Detention
- Civil/ Court Services
- Fugitive
- Field Operations
- Courts
- Family Violence Unit