

PREA Facility Audit Report: Final

Name of Facility: Lerdo Pre-Trial Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: 06/11/2018

Date Final Report Submitted: 10/26/2018

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Carrie Carone	Date of Signature: 10/26/2018

AUDITOR INFORMATION	
Auditor name:	Carone, Carrie
Address:	
Email:	littlemscarone@gmail.com
Telephone number:	
Start Date of On-Site Audit:	04/06/2018
End Date of On-Site Audit:	04/09/2018

FACILITY INFORMATION	
Facility name:	Lerdo Pre-Trial Facility
Facility physical address:	17695 Industrial Farm Road, Bakersfield, California - 93308
Facility Phone	
Facility mailing address:	
The facility is:	<input checked="" type="radio"/> County <input type="radio"/> Federal <input type="radio"/> Municipal <input type="radio"/> State <input type="radio"/> Military <input type="radio"/> Private for profit <input type="radio"/> Private not for profit
Facility Type:	<input type="radio"/> Prison <input checked="" type="radio"/> Jail

Primary Contact			
Name:	Wesley	Title:	Sergeant
Email Address:		Telephone Number:	661-391-7850

Warden/Superintendent			
Name:	Micheal Dobbs	Title:	Lieutenant
Email Address:	Dobbsm@kernsheriff.org	Telephone Number:	661-391-2015

Facility PREA Compliance Manager			
Name:		Email Address:	

Facility Health Service Administrator			
Name:	Margaret John	Title:	Clinical Supervisor
Email Address:	margaret.johnson@kernmedical.com"	Telephone Number:	661-391-7392

Facility Characteristics			
Designed facility capacity:	1344		
Current population of facility:	963		
Age Range	Adults: 18+	Youthful Residents:	
Facility security level/inmate custody levels:	0-9		
Number of staff currently employed at the facility who may have contact with inmates:	170		

AGENCY INFORMATION	
Name of agency:	Kern County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	1350 Norris Road, Bakersfield, California - 93308
Mailing Address:	
Telephone number:	661-391-7850

Agency Chief Executive Officer Information:			
Name:		Title:	Chief Deputy Sheriff
Email Address:	Davistyson@kernsheriff.org	Telephone Number:	661-39

Agency-Wide PREA Coordinator Information			
Name:	Leslie Embrey	Email Address:	embreyw@kernsheriff.com

AUDIT FINDINGS

Narrative:

The auditor's description of the audit methodology should include a detailed description of the following processes during the pre-audit, on-site audit, and post-audit phases: documents and files reviewed, discussions and types of interviews conducted, number of days spent on-site, observations made during the site-review, and a detailed description of any follow-up work conducted during the post-audit phase. The narrative should describe the techniques the auditor used to sample documentation and select interviewees, and the auditor's process for the site review.

NARRITIVE:

The Sheriff Department of the County of Kern, State of California, located at 1350 Norris Road, Bakersfield, CA 93308, requested professional consulting services, specifically a Prison Rape Elimination Act (PREA) audit of four of its detention facilities, from Jail Audits and Consulting, LLC located at P.O. Box 632, Brentwood, CA 94513. Jail Audits and Consulting, LLC provided United States Department of Justice- Certified PREA Auditor, Carrie Carone to conduct the audit. The terms and scope of the audit have been memorialized in a Personal/Professional Services Agreement.

On April 6-10, 2018, I conducted an on-site audit with Kern County Sheriff's Office Lerdo Pre-Trial Facility located at 17695 Industrial Farm Road, Bakersfield, CA. Prior to the audit, I communicated with the PREA Coordinator about scheduling and a timeline to utilize during the audit. After speaking with the agency, we determined three to four days would be needed to conduct the on-site audit of the county facility.

PRE-AUDIT PHASE:

The auditor provided the notice of upcoming audit to PREA Coordinator Sergeant Wesley Embry on February 8, 2018. The notice was posted at least six weeks before the scheduled on-site audit. I directed the PREA Coordinator to complete the online Pre-Audit Questionnaire on the PREA online audit system.

A few days before the audit, the auditor received a completed the questionnaire for the Lerdo facility and uploaded several supporting documents to the online system. The auditor noted it was somewhat difficult to complete a policy and document review prior to the on-site audit with only having a few days in which to review documentation, however, the PREA Pre-Audit Questionnaire provided the necessary information to complete a decent pre-review of the PREA Audit: Auditor Compliance Tool, Adult Prisons and Jails.

With the items received from the PREA Coordinator, the auditor began the process of completing the "Pre-Audit" portion of the audit tool for the facility. During the two -week period preceding the on-site audit, the auditor was given the current facility staffing plan. The auditor was also provided the 2017 annual report to review. The auditor noted the Annual Report was not up on the agency website as of yet, however, after speaking with the PREA Coordinator the auditor noted that the Annual Report was completed but the Compliance Unit was waiting for their IT Unit to upload it onto the website. The auditor received a copy of the annual report to review. There were eighteen (18) reportable incidents. All but two incidents were fully investigated according to agency policies. Out of the 16 completed investigations there was only one alleged incident that was substantiated based on the available evidence presented by investigators (evidence included witness statements, video surveillance, or suspects own admission). This case was referred to prosecution. In the remaining investigations, fifty-percent (50%) were determined to be unfounded or never occurred. Six of the reports were found unsubstantiated, meaning there was not enough information or evidence to prove the allegation ever occurred one way or the

other.

The PREA Resource Audit Instrument used for the Adult Prisons and Jails was furnished by the National PREA Resource Center, to summarize, there are seven sections, A through G, comprised of the following: (A) Pre-Audit Questionnaire, sent by the Kern County Sheriff's Office PREA Coordinator, (B) The Auditor Compliance Tool; (C) Instructions for the PREA Audit Tour; (D) The Interview Protocols; (E) The Auditor's Summary Report; (F) The PREA Auditor Map; (G) The checklist of Documentation.

The auditor was given staff rosters, inmate rosters, and a list of medical and mental health staff from the PREA Coordinator the day before the audit as to assure the best available accuracy for interviews. The day before the audit, the auditor also checked the business Post Office Box (P.O. BOX) but the auditor noted there were no confidential letters from inmates received prior to the audit.

ON-SITE AUDIT PHASE:

On April 6-10, 2018, the auditor arrived at the Lerdo Pre-Trial Facility and was met with greetings from key administrators-The PREA Coordinator, Sergeant Wesley Embry, and the Compliance Unit Lieutenant, Anthony Gordon. The PREA Coordinator went over the schedule and timeline with the auditor and then took the auditor on a facility tour.

On the first day, the tour started in the intake and booking area. This jail is multi-classification. The Lerdo Pre-Trial Facility is a facility which holds inmates before, during, and after trial pending transfer to prison. The auditor immediately noted posters on the walls with PREA information in both English and Spanish; then inspected the folding cells and the Central Control where a female Sheriff's Aide monitors the video of the holding cells captured by the surveillance cameras. The auditor noted that all of the temporary holding cells have permanent privacy screens. Like all other agency facilities, all inmate screening information is stored in the online computer system. The tour continued with the Segregated Housing, where the auditor toured the control booth, reviewed logs, observed inmate use of the shower and asked impromptu questions of the assigned deputies. The auditor reviewed all pods in Segregated Housing. The auditor noted PREA posters were located in each pod, and that the PREA educational video was working. The PREA Coordinator took the auditor on tours of each Housing Unit in the facility, including the female Housing Unit area. The auditor reviewed the logbooks in each Housing Unit to see that "unannounced rounds" were notated as well as any female staff announcements. The auditor inspected all showers and restrooms for privacy, and the exercise yard. During the tour of the units, there were no inmate workers. The PREA Coordinator took the auditor to the infirmary and new mental health unit where the auditor viewed suicide watch cells, spoke with medical staff, and talked with inmates who had just received medical treatment. The auditor toured the Sergeant's office, PREA Compliance Manager's Office, and the Central Control room where deputies monitor live video from several of the new and upgraded surveillance systems. The auditor noted the surveillance systems monitored the Infirmary, all main corridors, and main hallways between the pods. The auditor also toured the sally ports, and the area where newly booked inmates are transferred and intake is conducted.

During the tour the Auditor was observing for blind spots, and the overall level of supervision of the inmate population. And camera placements within the facility. Observations were made of PREA related materials posted in medical and all inmate living units. The Auditor requested the PREA Coordinator and to allow the Auditor space to informally speak to inmates and staff during the tour.

While touring the facility observations were made of staff conducting security rounds and making opposite gender announcements when entering living units. All inmate restrooms and shower areas were observed to ensure inmates could utilize the restroom, change clothing and shower without staff of the

opposite gender observing inmates doing so. The Auditor informally interviewed 10 inmates to inquire their level of education regarding the facility's PREA prevention, detection, and response to sexual abuse and sexual harassment. Informal interviews were conducted with 6 staff members and 2 contract personnel.

The Auditor conducted a review of supportive documentation provided by facility staff. Supportive documentation provided by the facility included, but was not limited to, policy and procedures, staffing plan, diagrams, handbooks, training records, employee records, medical records, classification records, investigative files, disciplinary records and logbooks. Supportive documentation was reviewed to determine the facility's level of compliance in prevention, detection, and response to sexual abuse and sexual harassment, training and education, risk screening, reporting, investigations, inmate discipline, medical and mental health care, and data collection, review and reporting.

The auditor was additionally given staff rosters, inmate rosters, and a list of medical and mental health staff from the PREA Coordinator the day before the audit as to assure the best available accuracy for interviews. The auditor randomly selected two inmates from each Housing Unit pod to select for interviews.

On the second and third days of the audit, the auditor selected inmates who fit the criteria for specialized inmate interviews. The Auditor noted on the first day of the audit, there were 972 inmates currently housed in the facility. One of the methodologies utilized by the auditor was to conduct the on-site audit during odd work days and hours to be able to interview more of an array of staff and inmates. The auditor conducted a total of thirty-five (35) inmate interviews in two days. The agency allowed the auditor to conduct all interviews in a private and confidential setting in a conference room at the jail facility.

During the interviews conducted, the auditor asked each inmate several questions about the agency's policies. The auditor also asked questions specific to PREA. All the inmates were aware of PREA. They were shown the PREA video several times during their incarceration. Several of the inmates interviewed could tell me the toll-free number to call should they encounter any type of situation where they needed to notify staff or a third party of a PREA related incident. Below is a list of inmates interviewed-

Category of Inmate Number Location

Youthful Inmates N/A N/A

Youthful Inmates in Segregation Housing N/A N/A

Inmates with a Physical Disability 1 HU 1/2/3

Inmates who are blind, deaf, or hard of hearing 2 HU 1/2/3

Inmates with a Cognitive Disability 1 HU E

Inmates who are LEP 3 HU 1

Transgender Inmates 1 HU 3/Admin Iso. *Inmate in Ad-Iso by choice

Female Inmates 4 HU 1/2/4

Intersex Inmates 1 HU 3

Lesbian, Gay, and Bisexual Inmates 1 HU 3

Inmates Placed in Segregation Housing 1 HU 3

Juvenile Residents in Isolation N/A N/A

Inmates who Reported Sexual Abuse 1 HU 3

Inmates who Reported Prior Sexual Victimization 2 HU 5&6 /PC

Random Inmates 17 HU 1/2

Targeted Inmate Interviews 18 HU 1-6

On the fourth day, the auditor conducted several random staff interviews within this facility as well. The auditor selected to conduct the on-site Friday through Tuesday in order to be able to interview all four (4) shifts at the jail facility. The staff work on a twelve (12) hours schedule, therefore the auditor was on-site from 0700 hours to 1900 hours every day of the on-site audit in order to interview both the day shift staff as well as the night shift staff. The auditor interviewed thirty-five (35) staff members. The auditor was given a list of the line staff that were currently working that day. The auditor conducted the audit during all four shifts, and was able to interview several staff members so that the auditor could have a variety of employees to interview.

On the fifth and last day, the interviews included staff in specialized positions such as investigators, backgrounds and recruiting staff, volunteer staff, chaplaincy staff, contracted employees, off-site counseling staff, SAFE and SANE nursing staff. The auditor also conducted an off-site tour at several of the contractual sites; the local rape counseling center- Kern County Victim's Advocate Center/The Women's Center. The SAFE and SANE Center where all SART exams are conducted. And Kern Medical Center. Below is a list of staff interviewed-

Category of Staff Number Shift

Agency Head 1 Day/Admin
Warden or Designee 2 Day/Admin
Intermediate/Higher Level Security Staff 1 Night
PREA Coordinator 1 Day/Admin
PREA Compliance Manager 2 Day/Night
Supervisors 2 Day/Night x2/Swing
Senior Deputy (Supervisor) 1 Night x2
Incident Review Team 1 Day/Admin
Non-Medical Staff involved in Cross-Gender Viewing or Searches 2 Day/Night
Administrative (Human Resources Staff) 2 Day
Staff who perform Screening for Risk of Victimization and Abusiveness 2 Day
Staff who Supervise Inmates in Segregated Housing 2 Day/Night
Random Staff 4 Day/Night/Swings *All 4 shifts represented
Detectives 2 Detective & Supervisor
Backgrounds & Recruiting Staff 2 Deputy & Supervisor
Volunteers/Contractors 2 Chaplains/Contractor
Nursing Staff 1 Day
Mental Health Staff 2 Day
Off-Site SAFE/SANE Nurses 1 Day
Off-Site Advocacy Counselors 2 Day

AUDIT FINDINGS

Facility Characteristics:

The auditor's description of the audited facility should include details about the facility type, demographics and size of the inmate or resident population, numbers and type of staff positions, configuration and layout of the facility, numbers of housing units, description of housing units including any special housing units, a description of programs and services, including food service and recreation. The auditor should describe how these details are relevant to PREA implementation and compliance.

FACILITY CHARACTERISTICS:

The Lerdo Pretrial Jail facility opened in 1987, with an additional pod coming online in 1989. It is the Kern County Sheriff's Office (KCSO) largest detention facility, housing both male and female inmates with a maximum capacity of 1344 inmates. The average daily population is 972 inmates. It operates seven pods, a medical infirmary, three classrooms, and multiple support offices. It is managed by a Detentions Lieutenant who oversees 18 supervisory staff, 95 detentions security staff, 4 sheriff's aides, and 9 civilian support staff. There are typically 2-16 mental health staff and 9 medical staff on-site daily. The facility operates on four twelve hour shifts.

The facility houses pretrial, un-sentenced and sentenced inmates, civil detainees, and parole violators. The main jail facility in downtown Bakersfield is the main intake jail for Kern County. Many inmates, including female offenders, are then transferred to Lerdo Pre-Trial for their length of stay.

The Kern County Sheriff's Office Mission Statement is to be committed to working in partnership with their community to enhance the safety, security, and quality of life for the residents and visitors of Kern County through professional public safety services.

The Sheriff's Office promotes vocational training authorized by the Department of Corrections and Federal Law. Educational opportunities include pursuit of a GED, high school diploma, College certificates and various treatment services to include substance abuse counseling and A/NA. Other programs vary such as inmate education, virtual custody, work release, and probation programs. Inmates meeting minimum qualifications for a program may be placed into one of the limited education classes available at the Pretrial facility, transferred to the Lerdo Pre-Trial facility to participate in a broader selection of classes taught by Bakersfield Adult School, or processed into one of the out-of-custody programs.

Prior to the on-site audit, the Auditor reviewed a diagram of the physical plant (building plan) and was able to review and become familiar with the structure prior to the audit. This allowed the Auditor to thoroughly plan the facility site review and confirm all areas of the facility were observed during the on-site Audit.

Pretrial is a pod designed facility with a Central Control area. Each pod has six housing units with eight upper level and eight lower double bunk cells. Each pod has a central observation control room which is staffed by one Deputy. Each cell and all dayrooms have intercoms allowing the inmates to communicate with the control room Deputy. The Control Deputy has direct sight of all housing unit dayrooms, cell doors, and the recreation yard. The Deputy can monitor the contact and non-contact Attorney visiting rooms as well as the general non-contact public visiting rooms. On the lower level of the pod, the floor Deputy oversees the sally port area with views of each unit entrance door, the interview room, and staff office.

Outside of each pod unit entrance are small janitor closets with cleaning supplies that remain locked and each pod has an attached secure warehouse that is used by support staff such as maintenance, or mental health, medical record storage, or as inmate property storage. The facility features numerous other secure work areas which are used by the Chaplain, Librarian, Mental Health Staff, and Medical Supervisor. Additionally, there are three holding cells adjacent to the Central Control room.

The agency's Housing Units meet the DOJ PREA Working Group architectural definition of a housing unit, and the functional use of these housing units ensure that the agency is able to fully comply with the interview sampling requirements.

The infirmary area contains seven cells for suicide watch inmates, five reverse isolation medical cells, five general medical cells, and a safety cell. Additionally, there are specific rooms that medical staff use for records, pharmacy and treatment supplies, patient treatment room, x-ray room, and dental area. Multiple medical staff and two Deputies staff this high traffic area 24/7.

The receiving / court area is another high traffic area where inmates are received from either the Sheriff's downtown facility or from one of the other facilities at the Lerdo complex. It has an open receiving area, five windowed holding cells, an inmate dress out / x-ray body scanner area, and three small open storage rooms. There is a secure control room area staffed by one Sheriff's aide who oversees inmates in the five holding cells via camera monitors, controls access into the facility, and provides additional security oversight for the one court Deputy, and two search/escort Deputies assigned to the area.

The Central Control Deputy oversees the fire alarm system, tracking of inmate movement, as well as monitoring video cameras of the facility ingress and egress from hallways near the control room area, and the entrance into the receiving and infirmary areas and other points of ingress and egress. The Central Control Deputy also maintains the Facility count and routes all incoming phone calls to the facility.

The facility features a recently upgraded audio/video surveillance system. Although the system is not monitored continuously it retains recordings for an extended period of time.

The Lerdo Pre-Trial Facility has a safety-check system throughout their jail. There are sensors permanently fixated to the walls all over the facility, including in all the "problem" areas or "blind spots" in the jail that aren't normally accessed or checked by staff. Every staff member is given a sensor check. This new system requires staff to pass through every area of the jail and touch a sensor one time an hour (or whenever the check is required) to be compliant in their observation checks. The deputy must physically access these sensors every time during their checks, and if they do not, a supervisor is notified of the failure to complete their observations as required by their policy.

This includes all closets, janitor closets, pipe closets, hallways, housing units, day room areas, etc.

There is also a specialized system employees called "The Pipe" which is used to document 15 minute observations required for "special handling" inmates. Every 15 minutes, a deputy is required to check on the inmate and press "The Pipe" against a sensor on the outside of the cell wall. This not only insures the deputy is conducting a frequent observation of the inmate, but it also records the status of the inmate at the time of the check.

This is an amazing system and I commend the agency on spending the money on a system that mandates and documents all of the required general observation checks. This helps ensure that

residents are being adequately supervised by the deputies as well as maintaining their safety while in custody.

The Kern County Sheriff's Office has had a few instances of staff misconduct which were promptly investigated and prosecuted. There were (18) inmate on inmate reports of abuse at Pretrial in 2017. These reports are detailed further in the annual facility report for Pretrial.

AUDIT FINDINGS

Summary of Audit Findings:

The summary should include the number of standards exceeded, number of standards met, and number of standards not met, along with a list of each of the standards in each category. If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance.

Auditor Note: No standard should be found to be "Not Applicable" or "NA". A compliance determination must be made for each standard.

Number of standards exceeded:	1
Number of standards met:	39
Number of standards not met:	0
Not audited at the facility level: Audited at the agency-level, and not relevant to the facility-level audit because the facility has no independent responsibility for the operation of these standards.	5

AUDIT FINDINGS:

Standards Exceeded: 1

Standards Met: 39

Standards NOT Met: 0

Not Audited at the Facility Level: 5

Auditing was completed during the course of a four (4) day on-site audit, the auditor interviewed approximately thirty-five (35) inmates, utilizing the random inmate questionnaire, reviewing data received from the PREA Coordinator. The Auditor reviewed a total of thirty-five (35) staff members. The Auditor reviewed and all applicable institutional files which included staff and inmates.

The Auditor found the Lerdo Pre-Trial Facility was in compliance with all but two PREA standards, and exceeded in one PREA standard.

Standard Exceeded:

The Lerdo Pre-Trial Facility has a safety-check system throughout their jail. There are sensors permanently fixated to the walls all over the facility, including in all the "problem" areas of the jail that aren't normally accessed or checked by staff. Every staff member is given a sensor check. This new system requires staff to pass through every area of the jail and touch a sensor one time an hour (or whenever the check is required) to be compliant in their observation checks. The deputy must physically access these sensors every time during their checks, and if they do not, a supervisor is notified of the failure to complete their observations as required by their policy.

This includes all closets, janitor closets, pipe closets, hallways, housing units, day room areas, etc.

There is also a specialized system employees called "The Pipe" which is used to document 15 minute observations required for "special handling" inmates. Every 15 minutes, a deputy is required to check on the inmate and press "The Pipe" against a sensor on the outside of the cell wall. This not only insures the deputy is conducting a frequent observation of the inmate, but it also records the status of the inmate at the time of the check.

The Auditor notated the utilization of new technology to assist the staff in conducting general observation checks of the inmates was well thought out. The pipe system is an amazing system and the Auditor commends the agency on spending the money on a system that mandates and documents all of the required general observation checks. This helps ensure that residents are being adequately supervised by the deputies as well as maintaining their safety while in custody. Since the Agency took preventative measures to install a new system which assists in the ability to protect inmates from sexual abuse they exceeded standard 115.18 (b).

Standards Not Met:

There were two deficiencies observed while I was conducting a review of their documentation. The Auditor conducted several "spot checks" regarding necessary documentation of PREA incidents at their facility. A "PREA Incident review form" was made and being implemented after each PREA report was reported. The PREA Coordinator had been following up with all PREA reported incidents within seven (7) days of the incident being reported. The PREA Coordinator was tracking the review by using the above mentioned form. However, when the PREA Coordinator attempted to pull one of the PREA reports during my review- It was never written by the primary reporting deputy and there had been no follow-up conducted.

The PREA report was reported 3/26/2018. A spot check of the report showed that the report still was not completed. There was no documentation provided and no initial report taken. There is an incident number but no report was pulled. It was never referred to IA (this is a staff versus inmate sexual abuse allegation) and this was never sent to investigation.

The PREA Coordinator had brought up the missing report to the deputy as well as his supervisor and advised both parties it needed to be written immediately so it could be forwarded to the appropriate entity for further investigation, however, they never completed it. This is problematic for several reasons.

Additionally, a second PREA report that the Auditor "spot checked" was regarding an alleged inmate versus inmate sexual assault which occurred while in custody. It was referred to the sexual assault investigators, however, the investigators did not investigate it for over two months.

The PREA report was reported 2/19/2018. A spot check of the report showed a primary investigation was conducted on 2/19/2018 and the report was written right away. This was a sexual assault which allegedly occurred in custody. The on-call detective was notified of the incident on 02/19/2018 and stated it did not initiate a "weekend callout" and that they would respond the next day. However, detectives did not actually come out to the facility and interview either the victim or the suspect until 04/05/2018, almost two months later. They are in violation of their own PREA policy by not responding nor investigating the PREA incident in a timely fashion.

Due to the lack of properly reporting or investigating PREA incidents, they do not meet standard 115.22 (a) - Policies to Ensure Referrals of Allegations for Investigations at this time or 115.47(a) - When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it

do so promptly, thoroughly, and objectively? Corrective actions will be needed for these standards. The Auditor's proposed correction plan is to require the agency to review the PREA reporting policy with their staff and investigator to ensure they are aware of the immediate timelines required by PREA law. Additionally, the Auditor will return to the jail in 180 days to conduct another "spot check" of all 2017 PREA reports to ensure they have been written and referred to investigations in a timely fashion.

I discussed my corrective action plan with the Detentions and Corrections Commander, the Compliance Unit Lieutenant, and the agency PREA Coordinator. They agreed this was a reasonable plan of correction.

After the issuance of the Interim Audit Report, the Auditor and the facility discussed corrective action for these two provisions and agreed upon a plan with assigned dates for completion. The auditor conducted three phone interviews with the PREA Coordinator for an update regarding implementation of the corrective actions.

On Sunday, October 7, 2018 the Auditor met with the PREA Coordinator for Kern County Sheriff's Office at the Compliance Unit located at 17695 Industrial Farm Road, in Bakersfield, CA. The interim report was submitted on June 11, 2018. The on-site audit was conducted on April 6-9, 2018. The Auditor met to review two corrective actions regarding the Pre-Trial facility PREA audit. The 180 day corrective action period had commenced. The Auditor agreed to return after 180 days to review all reported incidents in 2018 to ensure proper reporting and investigations were being conducted. This is so the agency could come in compliance with standards 115.22 (a) – Policies to Ensure Referrals of Allegations for Investigation and 115.47 (a) – When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, and objectively?

The PREA Coordinator met with the Auditor and after a lengthy meeting, the Coordinator stated that several steps were taken to ensure the agency was now in compliance with the above standards.

115.22(a) – Policies to Ensure Referrals of Allegations for Investigations

The first action taken was the PREA Coordinator created a PREA binder that is being implemented to assist staff in properly reporting and investigating PREA incidents in the Pre-Trial correctional facility. The "PREA Resource Information Binder" is going to be consistent throughout all of the Kern County detention facilities. The binder will be located in the supervisor's office and will be located at their work stations for easy access.

The "PREA Resource Information Binder" contains PREA flow charts on how to properly report and investigate any PREA allegation. It also contains a PREA related phone contact list, training bulletins, PREA related policies, directions to the SART/SANE center, and the PREA training refresher- A PowerPoint which outlines all investigations for PREA. The Auditor was given a "PREA Resource Information Binder" to review.

The PREA Coordinator also met with upper management and conducted a review of all current PREA policies on July 27, 2018. Another meeting was conducted on August 10, 2018. The PREA Coordinator showed the Auditor the documented review of policies P500, P550, and P600. The Auditor reviewed the small suggestive changes. The PREA related policies have been reviewed and revised to show all current PREA trends and laws.

The Agency's new PREA binder provides an effective way for the Deputies and Supervisors on duty to

review the proper reporting procedures and updated policies and utilize them when necessary. The binder have been implemented at the Lerdo Pre-Trial facility and are currently being utilized.

The facility has effectively demonstrated compliance during this period of corrective action with supporting documentation, interviews and a new information binder system. The facility is compliant with this provision.

115.47(a) – When the Agency conducts its own Investigations into Allegations of Sexual Abuse and Sexual Harassment, Does it do so Promptly, Thoroughly, and Objectively?

The PREA Coordinator and the Compliance Unit Lieutenant sat down and had a meeting with Investigations and Internal Affairs in July of 2018. Policy P-500 Sexual Assault/ Abuse Security Response Plan was revised to add specifications to the requirements of investigations to review PREA reports and conduct follow-ups in a timely fashion.

The Auditor asked to review all PREA related incidents/reports. There were 89 incidents reported for Kern County Detention Facilities in 2018. Specifically regarding the Pre-Trial facility, there were 20 reportable incidents in 2018. The Auditor reviewed all reports again to ensure they were completed, and then reviewed the additional supplemental reports from 2018 to ensure the investigations were conducted in a timely fashion. The PREA Coordinator implemented a new spreadsheet with all reported incidents, report numbers, victim information, etc. The Auditor was provided a copy of the spreadsheet which showed all incidents/reports were being tracked for completion. The Auditor reviewed all (new and old) reports from the Pre-Trial facility. All reports since the on-site Audit were written within 72 hours of the incident occurring. All PREA incident reviews were completed within 30 days of the incident being reported.

One example of a report which was reviewed was a white male adult who alleged a sexual assault in May 15, 2018. The male reported he was sexually assaulted by his cellmate in March 2018. The inmate reported he was groped by the suspect while they were in the cell together. He was offered medical and an advocate, but the inmate refused. Initial victim statements were taken. No evidence was collected due to the timeframe. Deputies conducted an investigation and were able to identify a suspect. The suspect was out of custody so the report was written for informational purposes only. The report was written within 72 hours of the incident being reported.

Another example of a report reviewed was a white female adult who called the anonymous hotline number from her Housing Unit pod to report an inmate versus inmate sexual assault September 5, 2018. The female reported she was raped. The hotline reported it to Pre-Trial who then located the victim and separated the victim and suspect. Deputies interviewed the victim and she stated she was molested in her sleep. During the interview, it was determined that the victim suffers from mental health issues. The victim was referred to mental health for a follow-up and was placed in a cell by herself for two weeks to see if the “molestation” continued. Additionally, the Deputies (for the victim’s safety) placed keep separates between the cellmates just to be safe. Two weeks later, while the victim was in a cell by herself, she claimed to have been molested and sexually penetrated again. The victim claimed that every night she was drugged and sexually assaulted. The victim was in a cell that had a brand new locking mechanism and a “tamper-proof” alarm device on the lock. If the door was manipulated or opened in any way, the alarm would sound and alert Deputies. The night the allegation was made again, the door alarm was confirmed to not have been activated. The Deputies still documented the incident immediately by writing a supplemental to the original PREA report.

Another report reviewed was a Hispanic female adult who notified correctional behavioral health she was touched on her breast and buttocks inappropriately by another inmate in June 1, 2018. Behavioral health reported the incidents to Deputies who conducted the investigation. The victim was a LGBTI female and was hugged by another inmate who then touched her inappropriately. Deputies offered her medical and an advocate. The victim asked for an advocate to be present during the interview. The Deputies consulted with the sexual assault unit but completed the investigation with an advocate present.

The facility's new tracking spreadsheet for all PREA reports helps to monitor staff and keep the reports from not being written, completed, and/or investigated in a timely fashion. Staff have been appropriately training on the importance of completing PREA reports on time and have implemented all new procedures. The practice has been fully institutionalized. The Auditor concluded that the Agency has implemented enough policy revisions to remedy the deficiencies stated in the Corrective Action. The Pre-Trial facility, as well as the methods of reporting and investigating PREA incidents at the facility, are now on track and within PREA standard guidelines.

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, 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 standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.11 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100, P-200, P-300, P-400. Inmate Handbook, PREA Posters, and PREA Brochures. FINDINGS: Kern County’s Zero tolerance policy mandates the zero tolerance of sexual abuse and sexual harassment at all their confinement facilities. Their policy includes several definitions, including to prohibited behaviors regarding sexual abuse and sexual harassment. The policy includes a detailed description of agency strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates. Agency policies addressed “Preventing” sexual abuse and sexual harassment through the designation of a PREA Coordinator and PREA Compliance Managers, Criminal History Background Checks, and Child Abuse Registry Checks (Staff, Contractors, and Volunteers, as applicable), Training, (Employees and Staff, Volunteers, and Contractors), Staffing, Intake screening, Classification, Inmate Education handbooks, posting of signage (PREA and Counseling posters throughout the jail) and Contract Monitoring. The policies addressed “Detecting” sexual abuse and sexual harassment through Training (Staff, Volunteers, and Contractors) and Intake screening. The policies addressed “Responding” to Medical and Mental Health Services, Disciplinary Sanctions for Staff (including notification of licensing agencies), Incident Review Teams, and data Collections and Analysis. The auditor reviewed and noted the Inmate Handbook, PREA posters, and PREA brochure do address sexual abuse by another inmate, and the Inmate Handbook does address sanctions for inmates when involved in such incident. All of the above mentioned tools are provided in several languages. However, most PREA posters are displayed in both English and Spanish as their jail demographics show their jail primarily houses English and Spanish speaking inmates. Based on several staff interviews and an on-site review of practices, it was noted staff closely monitor for inmate-on-inmate sexual misconduct in accordance with PREA, allegations are reported and investigated, and inmates are held accountable.</p> <p>115.11 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-350. Agency’s organizational chart. INTERVIEWS: PREA Coordinator and Compliance Unit Lieutenant. ON-SITE REVIEW (TOUR OBSERVATIONS): No on-site observations were required for this provision, although the auditor took a tour of the remote Compliance Unit building and noted Sergeant Embry (PREA Coordinator) and his Lieutenant have their own offices dedicated for them to focus on PREA standards and compliance. The auditor also toured one of the Compliance Managers offices. Although they share the office with other Sergeants at the jail, it was noted to be adequate. FINDINGS: Although not required, Agency Policy P-350, address the position of the PREA Coordinator. It outlines the roles and responsibilities of the position and calls for the position being allowed sufficient time and authority to develop, implement, and oversee Department efforts to comply</p>

with the PREA standards at each facility. The PREA Coordinator is a Correctional Sergeant within the Compliance Division, and she is overseen by the Compliance Unit Lieutenant. The agency's organizational chart reflects that the PREA Coordinator position is an upper-level position and is agency-wide. The PREA Coordinator position reports to the agency's Detentions and Corrections Commander who then reports directly to the Sheriff. The PREA Coordinator was interviewed. She reported having enough time to focus on the PREA standards. She was also able to place other duties on hold so that she could focus on the audit beginning in 2017. She oversees and manages each Compliance Manager and reports to the Compliance Unit Lieutenant. Being that there are 5 confinement facilities within Kern County, she oversees and communicates with a total of 5 Compliance Managers, which is a large task. The PREA Coordinator reported she oversees standards compliance for PREA and all other accreditations held by Kern County.

The auditor reviewed the agency policy, agencies organizational chart, and based on the interview, the designated agency's PREA Coordinator, the auditor determined the agency demonstrates it complies with the requirements of this standard.

115.11 (c)

POLICY and DOCUMENT REVIEW:

Agency Policy P-350. Agency's organizational chart.

INTERVIEWS:

PREA Coordinator and PREA Compliance Manager.

ON-SITE REVIEW (TOUR OBSERVATIONS):

No on-site observations were required for this provision, although the auditor took a tour of the one of the Compliance Managers offices. Although they share the office with other Shift Sergeants at the Lerdo jail, it was noted to be adequate.

FINDINGS:

Although not required, Agency Policy P-350, address the position of the PREA Compliance Manager. It outlines the roles and responsibilities of the position and calls for the position being allowed sufficient time and authority to develop, implement, and oversee Department efforts to comply with the PREA standards at each facility. The PREA Compliance Manager is an Administrative Sergeant assigned to the jail, and he/she is overseen by the Compliance Unit PREA Coordinator. The agency's organizational chart reflects that there is one PREA Compliance Manager at every jail facility. The PREA Compliance Manager for Lerdo jail was interviewed. She reported having enough time to focus on the PREA standards. She was also able to place other duties on hold so that she could focus on the audit beginning in 2017. The PREA Compliance Manager reported she has 100% support from his direct supervisor as well as the PREA Coordinator.

The auditor reviewed the agency policy, agencies organizational chart, and based on the interview, the auditor determined the agency demonstrates it complies with the requirements of this standard.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.12 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100, P-200. FINDINGS: There are currently no contracts for the confinement of inmates that the agency had entered into or renewed with private entities or other government agencies. Therefore the agency is in compliance with this standard as it is non-applicable.</p> <p>115.12(b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100, P-200. INTERVIEWS: PREA Coordinator FINDINGS: There are currently no contracts for the confinement of inmates that the agency had entered into or renewed with private entities or other government agencies. Therefore the agency is in compliance with this standard as it is non-applicable.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.13(a) POLICY AND DOCUMENT REVIEW: Agency Policy P-200, DIRECTIVE A-1; P-0700 PREA Annual Facility Review Report, Staffing Plan, PREA Staffing Plan, Agency Annual Report</p> <p>INTERVIEWS: PREA Coordinator and Lerdo Jail Facility Watch Commander</p> <p>FINDINGS: The agency submitted an Annual PREA Staffing Plan Review for 2017, and I noted the annual staffing plan review was dated in December 2017 for 2018. The agency reported the facility’s average daily number of inmates is 972 and that the daily number of inmates in which the staffing plan was predicated on an average daily population of 1000 inmates. It was noted that the Lerdo Facility’s designated facility capacity is 1344. The auditor interviewed the PREA Coordinator and the Lerdo Jail Facility Watch Commander. The PREA Coordinator stated they had recently upgraded the video camera system to address any “blind spot” issues in the jail. Any of those areas had previously been identified to be off-limits to inmates and/or doors are secured (maintained locked and checked during walk through, which are unannounced). Staff and the Watch Commander were aware of the staffing plan and reported it is in place. Staff and the Watch Commander reported they follow the PREA Standards, take into consideration the composition of the inmate population and their needs, scheduled appointment programming, and staff placement. The auditor also spoke in depth with the Correctional Commander who is a part of the annual review for all staffing plans at the Lerdo Pre-Trial Facility. The Correctional Commander confirmed the Lerdo Pre-Trial Facility conducts an annual review of its staffing plan as well as an annual PREA review. Staff reported the inmate to staff ratios are followed. The auditor was provided a P-0700 PREA Annual Facility Review Report as well as the 2017 Lerdo Pre-Trial Facility Staffing Plan for review. It assessed, determined, and documented whether adjustments were needed based on their previous staffing plans, video monitoring systems, technological advancements, and staffing resources needed.</p> <p>Additionally, staff reported other relevant factors considered which include the needs of the LGBTQI inmates and incidents of substantiated and unsubstantiated sexual abuse. Classification staff reported, to ensure compliance with the staffing plan; they monitor during shifts, review folders, check-in sheets, documentation, inmate files, thoroughly review serious incident reports, and audit sheets. During the onsite audit, a review of the agency policy, staff interviews, and the agency’s staffing plan indicated all of the elements are addressed.</p> <p>The agency has implemented new technology which is a safety-check system throughout their jail. There are sensors permanently fixated to the walls all over the facility, including in all the “problem” areas or “blind spots” in the jail that aren’t normally accessed or checked by staff. Every staff member is given a sensor check. This new system requires staff to pass through every area of the jail and touch a sensor one time an hour (or whenever the check is required) to be compliant in their observation checks. The deputy must physically access these sensors every time during their checks, and if they do not, a supervisor is notified of the failure to complete their observations as required by their policy.</p> <p>This includes all closets, janitor closets, pipe closets, hallways, housing units, day room areas,</p>

etc.

There is also a specialized system employees called "The Pipe" which is used to document 15 minute observations required for "special handling" inmates. Every 15 minutes, a deputy is required to check on the inmate and press "The Pipe" against a sensor on the outside of the cell wall. This not only insures the deputy is conducting a frequent observation of the inmate, but it also records the status of the inmate at the time of the check.

The auditor was given a presentation of the system and how it worked. The auditor also watched a Deputy conduct rounds utilizing this new technology. It was noted that the department plans to continue utilizing both the video camera system and the safety-check system to enhance and supplement supervision in inmate program areas to protect the inmates from sexual abuse and sexual harassment. Based on staff and inmate interviews, there was a strong indication the PREA standards are implemented as required and in accordance with the agencies policies.

115.13(b)

POLICY AND DOCUMENT REVIEW:

The agency reported no deviations from the current staffing plan in place, therefore there was no documentation provided to review.

INTERVIEWS:

Lerdo Jail Watch Commander

FINDINGS:

The auditor interviewed the Lerdo Jail Watch Commander. He reported an ongoing challenge in keeping all positions filled and that priority is given to the Lerdo detention facility given that it is one of the largest of all 5 Kern County facilities. Based on interviews with staff and inmates at the facility, there had been no deviation from the staffing plan.

115.13(c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-200, DIRECTIVE A-3; Unannounced Rounds, Agency housing unit post log book

INTERVIEWS:

Intermediate Level Supervising Staff and Senior Deputies

ONSITE REVIEW (TOUR OBSERVATIONS):

A review of log entries indicated the upper management unannounced rounds, which are documented and provide additional supporting documentation for compliance with this standard.

FINDINGS:

Agency Policy P-200, Directive A-3; Unannounced Rounds address this provision. Supervisor walk-thrus are conducted at One staff unannounced rounds. The "end of shift" reports are collected and reviewed by the Compliance Unit to maintain compliance with all accreditations. Intermediate Level Supervising Staff and Senior Deputies were interviewed. Staff reported there are three levels of management/supervision within the facility that conduct unannounced rounds: Senior Deputies, Shift Sergeants, and Watch Commanders. Outside of the facility, the PREA Coordinator and PREA Compliance Managers, as well as the Division Commander all occasionally conduct unannounced rounds. Two supervising staff members reported conducting unannounced rounds one to two times per their shift. Rounds were documented on the log entries as well as on the Supervisor "end of shift" report. Staff reported different strategies utilized to prevent staff from alerting other staff that unannounced rounds were

being conducted. One example was that the Supervising staff would vary the times of their unannounced rounds. For instance, one night staff would conduct it early in the shift (1700 hours) and then they would conduct it again around (0300 hours). The next night, supervising staff would conduct it at (2300 hours).

The auditor conducted a review of the agency policy, viewed completed Supervisor walk-thrus which were notated on the "end of shift" report, and completed staff interviews which indicated multiple levels of management conducting unannounced rounds on all shifts. It was noted the Supervisor walk-thrus are also documented in the shift log entries within the housing units, which the auditor reviewed as well. The auditor determined the agency demonstrates it substantially exceeds the requirement of this provision.

115.13 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-200, DIRECTIVE A-3; Unannounced Rounds, Agency housing unit post log book

INTERVIEWS:

Intermediate Level Supervising Staff and Senior Deputies

ONSITE REVIEW (TOUR OBSERVATIONS):

A review of log entries indicated the upper management unannounced rounds, which are documented and provide additional supporting documentation for compliance with this standard.

FINDINGS:

Agency Policy P-200, Directive A-3; Unannounced Rounds address this provision. Supervisor walk-thrus are conducted at One staff unannounced rounds. The "end of shift" reports are collected and reviewed by the Compliance Unit to maintain compliance with all accreditations. Intermediate Level Supervising Staff and Senior Deputies were interviewed. Staff reported there are three levels of management/supervision within the facility that conduct unannounced rounds: Senior Deputies, Shift Sergeants, and Watch Commanders. Outside of the facility, the PREA Coordinator and PREA Compliance Managers, as well as the Division Commander all occasionally conduct unannounced rounds. Two supervising staff members reported conducting unannounced rounds one to two times per their shift. Rounds were documented on the log entries as well as on the Supervisor "end of shift" report. Staff reported different strategies utilized to prevent staff from alerting other staff that unannounced rounds were being conducted. One example was that the Supervising staff would vary the times of their unannounced rounds. For instance, one night staff would conduct it early in the shift (1700 hours) and then they would conduct it again around (0300 hours). The next night, supervising staff would conduct it at (2300 hours). A review of the agency policy, completed Supervisor walk-thrus notated on the "end of shift" report, and staff interviews, indicate multiple levels of management conducting unannounced rounds on all shifts.

The auditor reviewed the shift log entries and noted the Supervisor walk-thrus are properly documented in the shift log entries within the housing units, which the auditor determined the agency demonstrates it substantially exceeds the requirement of this provision.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	115.14(a) – (c) YOUTHFUL INMATES This facility does not house youthful inmates.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.15 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-200, DIRECTIVE C-1; CROSS-GENDER PAT DOWN SEARCHES INTERVIEWS: PREA Coordinator, Random Staff Interviews, Inmate Interviews FINDINGS: Agency Policy P-200, DIRECTIVE C-1; CROSS-GENDER PAT DOWN SEARCHES address this provision. Agency policy states all cross-gender pat-down searches and cross-gender strip searches are prohibited. If a pat-down search or a strip-search must be conducted (during exigent circumstances only) it must be conducted by staff of the same gender as the inmate. The agency reported there have been no incidents of cross-gender strip or cross-gender visual body cavity searches of inmates. This was reported via written directive by the agency to the auditor, and an informal interview with the PREA Coordinator confirmed this practice. The auditor conducted a review of the agency policy, agency directive, and staff interviews which indicated no cross-gender strip searches or cross-gender visual body cavity searches have been conducted.</p> <p>115.15 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-200, DIRECTIVE C-2; VISUAL BODY CAVITY SEARCHES, training logs INTERVIEWS: PREA Coordinator, Random Staff Interviews, Inmate Interviews FINDINGS: Agency Policy P-200, DIRECTIVE C-2; VISUAL BODY CAVITY SEARCHES address this provision. Agency policy states all cross-gender pat-down searches and cross-gender strip searches of females are prohibited. If a pat-down search or a strip-search must be conducted (during exigent circumstances only) it must be conducted by staff of the same gender as the inmate. The agency reported there have been no incidents of cross-gender strip or cross-gender visual body cavity searches of female inmates in the past 12 months. This was reported via written directive by the agency to the auditor, and an informal interview with the PREA Coordinator confirmed this practice. A review of the agency policy, agency directive, and staff interviews indicate no cross-gender strip searches or cross-gender visual body cavity searches have been conducted. staff members interviewed confirmed that there was always at least one female staff member working per shift. Even if there were no female staff members working, Supervisors have the ability to call the facility next door to have a female staff member come over to the Lerdo facility to conduct a search. Staff confirmed the probability of not having a female staff member on duty at one of the five (5) facilities is less than 1%. All instances of cross-gender pat searching or strip-searching will be documented per their PREA policy. Since this is both a male and female facility, there are members of both genders on the shift schedule and available at all times. If an exigent circumstance exists, and a female officer is required to pat search a male, per the agency policy it will be documented as well.</p>

There was no record of incidents where women were restricted due to the lack of female officers as a random review of staffing schedules showed there was always at least one female on duty.

The auditor conducted two random staff interviews revealed staff were aware of this policy. Two random inmate interviews confirmed the agency is following this standard in accordance of the agency policy. Male staff are aware that if there is a transgender inmate who needs searching, and requests a female officer to search, they will call a female officer. A male inmate confirmed they are not regularly searched by female staff members.

On-going continued training for cross-gender pat searches are conducted at the agency's continued professional training or during their new-hire orientation.

115.15 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-200, DIRECTIVE C-2; VISUAL BODY CAVITY SEARCHES, training logs
INTERVIEWS:

PREA Coordinator, Random Staff Interviews, Inmate Interviews

FINDINGS:

Agency Policy P-200, DIRECTIVE C-2; VISUAL BODY CAVITY SEARCHES address this provision. Agency policy states all cross-gender pat-down searches and cross-gender strip searches are prohibited. If a pat-down search or a strip-search must be conducted (during exigent circumstances only) it must be conducted by staff of the same gender as the inmate. All instances of cross-gender pat searching or strip-searching will be documented per their PREA policy. Since this is both a male and female facility, there are members of both genders on the shift schedule and available at all times. If an exigent circumstance exists, and a female officer is required to pat search a male, per the agency policy it will be documented as well. There was no record of incidents where women were restricted due to the lack of female officers as a random review of staffing schedules showed there was always at least one female on duty.

The auditor conducted two random staff interviews revealed staff were aware of this policy. Two random inmate interviews confirmed the agency is following this standard in accordance of the agency policy. Male staff are aware that if there is a transgender inmate who needs searching, and requests a female officer to search, they will call a female officer. A male inmate confirmed they are not regularly searched by female staff members.

115.15 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-200, D-500 Inmate Showers, P-410 Gender Identity Committee, P-200
PROCEDURE D; CROSS GENDER VIEWING, Agency housing unit log books

INTERVIEWS:

Random Staff Interviews, and random Inmate Interviews

ONSITE REVIEW (TOUR OBSERVATIONS);

During the tour of the facility, the auditor noted every time staff of the opposite gender entered a housing unit, the staff would announce themselves accordingly. The Lerdo Pre-Trial Facility tour confirmed that all cell/pod areas, restroom and shower areas contained permanently fixed privacy screens and privacy curtains which helped maintain this standard. A review of the housing unit log books showed all opposite sex notifications were documented.

FINDINGS:

Agency Policy P-200, D-500 Inmate Showers, P-410 Gender Identity Committee, P-200

PROCEDURE D; CROSS GENDER VIEWING address this provision. The facility requires all officers to announce their presence in housing units of the opposite gender not only when inmates are in the shower, or while changing but also during every shift change and routine cell check. This announcement is made via radio. Additionally, they also give inmates time to cover up or get out of the shower to ensure compliance with this standard.

Policy P-200 enables inmates to shower, perform bodily functions, and change clothing in privacy and without view from non-medical staff. Additionally, inmates can keep private the visibility of all body parts except during routine cell checks and during exigent circumstances. The auditor conducted random inmate interviews. During the auditor's interviews, the response to this question was an overwhelming "no." Both female and male staff frequently work within the male housing units. Not one inmate I interviewed said they were seen by a female staff member when indecent.

115.15 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-200, D-500 Inmate Showers, P-410 Gender Identity Committee, P-200 PROCEDURE D; CROSS GENDER VIEWING, Agency Form "Gender Identity Committee Review Form"

INTERVIEWS:

Random Staff Interviews, and random Inmate Interviews

FINDINGS:

Agency Policy P-200, D-500 Inmate Showers, P-410 Gender Identity Committee, P-200 PROCEDURE D; CROSS GENDER VIEWING address this provision. Policy P-200 prohibits the search of any transgender inmate solely for determining their genital status. There have been no incidents described in the past 12 months. I conducted a spot check of a form the agency uses called the "Gender Identity Committee Review Form." This form is utilized within the first 7 days of the transgender coming into custody. The PREA Coordinator will personally visit the inmate and ask several questions to ensure the facility is in compliance with this standard. The PREA Coordinator also conducts a review of the Classification Intake Screening form to make sure the transgender inmate's personal preferences on things such as preferred name, preferred name, preferred housing unit, etc. are being considered during the initial intake and classification of the inmate. Within 30 days, the agency's Gender Identity Committee Reviews each form to ensure the transgender inmate is housed appropriately.

The auditor conducted an interview of a transgender inmate which confirmed staff was in compliance with this standard.

115.15 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-300 EMPLOYEE TRAINING AND EDUCATION

INTERVIEWS:

Random Staff Interviews

FINDINGS:

Agency Policy P-300 address this provision. All staff is trained on how to conduct a search on transgender and intersex inmates in a professional and respectful manner.

The auditor completed random staff interviews. This standard was confirmed by at least five (5) random staff interviews conducted. Staff are initially trained in the academy and given additional training every two years during Continued Professional Training courses.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.16 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-400 Vulnerable PREA Population Inmates, PREA Posters, PREA Brochure, Inmate Handbook, ADA Required TTY Devices</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS); During the tour of the facility, the auditor noted PREA Posters and PREA Brochures are all available in both Spanish and English. Multiple staff members were identified as bilingual and passed a formal bilingual test given by the agency. Bilingual staff members were available as needed. TTY Devices were also available as needed.</p> <p>INTERVIEWS: Random Staff Interviews, Inmate with an Intellectual Disability, Inmate with a Mental Illness, Inmate who is Limited English Proficient (LEP), Transgender Inmate</p> <p>FINDINGS: Agency Policy P-400 address this provision. The auditor noted there are PREA posters located throughout the Lerdo Pre-Trial Facility in both English and Spanish outlining the PREA resources available. There are also pamphlets available almost everywhere throughout the building which are also in both English and in Spanish. For example, the auditor noted PREA Posters were located specifically in the following locations; In booking, in the visiting areas, in the Lerdo Pre-Trial Facility lobby, on vending machines, day room areas, outside female and male holding cells, and even at the Staff work stations.</p> <p>The auditor conducted interviews of inmates with cognitive and physical disabilities. The auditor noted if an inmate with a disability is unable to read the posters or pamphlets, a non-inmate interpreter is available by phone. For inmates with disabilities, a TTY device is also available. The auditor noted there are PREA videos shown on the inmate television several times a week. Additionally, the auditor noted the facility even has the PREA pamphlet available in brail to help with inmates who are visually impaired.</p> <p>115.16 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-400 Vulnerable PREA Population Inmates, PREA Posters, PREA Brochure, Inmate Handbook, ADA Required TTY Devices</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS); During the tour of the facility, the auditor noted PREA Posters and PREA Brochures are all available in both Spanish and English. Multiple staff members were identified as bilingual and passed a formal bilingual test given by the agency. Bilingual staff members were available as needed. TTY Devices were also available as needed.</p> <p>INTERVIEWS: Random Staff Interviews, Inmate with an Intellectual Disability, Inmate with a Mental Illness, Inmate who is Limited English Proficient (LEP), Transgender Inmate</p> <p>FINDINGS: Agency Policy P-400 address this provision. The auditor noted there are multiple staff who have been identified and can translate in Spanish. Through the random sample of staff interviews conducted, staff area aware of Policy P-400 and do not utilize other inmates for any</p>

type of interpretation where PREA is involved. The staff understands PREA is confidential and utilizing another inmate would violate the right for a victim to have confidentiality.

The auditor conducted random staff interviews. At the time of the audit, at least four (4) random staff members reported during the auditor interview that there was always a Spanish-speaking Deputy on duty to assist in any type of translation. Staff was also aware of the different ways to assist inmates in translation, if he or she needed assistance.

115.16 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-400 Vulnerable PREA Population Inmates, PREA Posters, PREA Brochure, Inmate Handbook, ADA Required TTY Devices

ONSITE REVIEW (TOUR OBSERVATIONS);

During the tour of the facility, the auditor noted PREA Posters and PREA Brochures are all available in both Spanish and English. Multiple staff members were identified as bilingual and passed a formal bilingual test given by the agency. Bilingual staff members were available as needed. TTY Devices were also available as needed.

INTERVIEWS:

Random Staff Interviews, Inmate with an Intellectual Disability, Inmate with a Mental Illness, Inmate who is Limited English Proficient (LEP), Transgender Inmate

FINDINGS:

Agency Policy P-400 address this provision. The auditor conducted random staff interviews. The auditor noted there are multiple staff who have been identified and can translate in Spanish. Through the random sample of staff interviews conducted, staff area aware of Policy P-400 and do not utilize other inmates for any type of interpretation where PREA is involved. The staff understands PREA is confidential and utilizing another inmate would violate the right for a victim to have confidentiality. At the time of the audit, at least four (4) inmates reported during the auditor interview receiving PREA related information additionally as watching the PREA video within 48 hours of intake into the facility. One inmate also reported being provided PREA related information verbally from staff and understanding his rights as it pertained to PREA and had a general understanding on how to report an allegation. Of the four inmates interviewed, they were all aware that if they needed an interpreter, they could ask a Spanish speaking Deputy to translate or assist in the translation.

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.17 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-900 PREA HIRING, PROMOTIONS, AND DISCIPLINE, D-500 SUPERVISOR PERSONNEL FILES, Agency Forms, Background Files, Hiring Files, Personal History Statement, Employee Evaluation Reports, Confirmation Reports from the FBI/DOJ Fingerprint Alert System</p> <p>INTERVIEWS: Backgrounds and Recruiting Supervising Staff, Internal Affairs Supervising Staff</p> <p>FINDINGS: The agency has an employment policy “P-900 PREA Hiring, Promotions and Discipline” which prohibits the hiring or promoting of anyone who may have had contact with inmates and has previously engaged in any type of sexual misconduct in a jail, prison, community confinement facility, or lockup. They also prohibit the hiring or promotion of anyone who had previously been convicted of engaging or attempting to engage in sexual misconduct in a community facility by force or fear, implied threats, force, or coercion.</p> <p>The agency policy requires consideration of any incident of sexual harassment when considering an employee for hire or promotion, or when considering a contractor for hire. The auditor interviewed the Backgrounds and Recruiting Supervisory Staff. Staff reported the agency has incorporated and implemented the following admonition in writing to all promotional or hiring applicants- “Deliberate misstatements or omissions can and often will result in your application being rejected, regardless of the nature or reason for the misstatements/omissions.” Additionally, all employees are required via policy P-900 to notify the on-duty Watch Commander of any arrests or incidents off-duty which could result in a criminal or administrative investigation.</p> <p>The agency also implemented an agency form when employees are applying for any promotional opportunity within the department. They must disclose any allegation of sexual assault or harassment, and also must agree to subject to another background check prior to promotion.</p> <p>115.17 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-900 HIRING, PROMOTIONS, AND DISCIPLINE, D-500 SUPERVISOR PERSONNEL FILES, Agency Forms, Background Files, Hiring Files, Personal History Statement, Employee Evaluation Reports, Confirmation Reports from the FBI/DOJ Fingerprint Alert System</p> <p>INTERVIEWS: Backgrounds and Recruiting Supervising Staff, Internal Affairs Supervising Staff, PREA Coordinator</p> <p>FINDINGS: Agency Policy P-600, P-900, and D-500 address this provision. The auditor confirms the agency policy requires consideration of any incident of sexual harassment when considering an employee for hire or promotion, or when considering a contractor for hire.</p> <p>The auditor interviewed the Backgrounds and Recruiting Supervisory Staff. Staff reported the</p>

agency has incorporated and implemented the following admonition in writing to all promotional or hiring applicants- "Deliberate misstatements or omissions can and often will result in your application being rejected, regardless of the nature or reason for the misstatements/omissions." Additionally, all employees are required via policy P-900 to notify the on-duty Watch Commander of any arrests or incidents off-duty which could result in a criminal or administrative investigation.

The agency also implemented an agency form when employees are applying for any promotional opportunity within the department. They must disclose any allegation of sexual assault or harassment, and also must agree to subject to another background check prior to promotion.

The agency also send inquiry letters to all law enforcement agencies adjacent to each applicant's prior residences to learn of any activities or actions that could disqualify applicants for employment. When an employee applies for promotion, there is an agency form they are required to fill out. It confirms that they have not been involved in any incident of sexual harassment or sexual abuse in a jail, prison, community confinement facility, or lockup. They also are required to disclose if they had previously been convicted of engaging or attempting to engage in sexual misconduct in any jail or community facility by force or fear, implied threats, force, or coercion.

Additionally, the auditor conducted "spot checks" of 10 promotional forms. They had all been completed appropriately and disclosed whether or not the promotional candidate was ever accused of sexual harassment or sexual abuse.

All persons attempted to get hired with the agency are subject to the same requirements and complete a thorough background check.

115.17 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-900 HIRING, PROMOTIONS, AND DISCIPLINE, D-500 SUPERVISOR PERSONNEL FILES, Agency Forms, Background Files, Hiring Files, Personal History Statement, Employee Evaluation Reports, Confirmation Reports from the FBI/DOJ Fingerprint Alert System

INTERVIEWS:

Backgrounds and Recruiting Supervising Staff, Internal Affairs Supervising Staff, PREA Coordinator

FINDINGS:

Agency Policy P-600, D-500, and P-900 address this provision. The auditor conducted a review of 10 randomly selected staff personnel files which indicated timely criminal background checks, and child abuse registry checks, all within the past two years. The auditor interviewed the Backgrounds and Recruiting staff. Staff reported criminal background records and child abuse registry checks are conducted on all new hires. Kern County is also a subscriber to both DOJ and FBI's fingerprint alert system. For the duration of employment, Kern County will receive notification of any arrest and the charges against any employee or contractor. The agency also send inquiry letters to all law enforcement agencies adjacent to each applicant's prior residences to learn of any activities or actions that could disqualify applicants for employment.

115.17 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-900 HIRING,

PROMOTIONS, AND DISCIPLINE, D-500 SUPERVISOR PERSONNEL FILES, Agency Forms, Background Files, Hiring Files, Personal History Statement, Employee Evaluation Reports, Confirmation Reports from the FBI/DOJ Fingerprint Alert System

INTERVIEWS:

Backgrounds and Recruiting Supervising Staff

FINDINGS:

The auditor interviewed the Backgrounds and Recruiting Supervisory Staff. Staff reported criminal background records and child abuse registry checks are conducted on all new hires and contractors.

Policy P-900 address the elements of this provision. The auditor conducted a review of the policy. Although the agency policy address the procedures in place to facilitate the hiring, retention, or promotion of employees- It does not clearly define what the definitions of "volunteer", "intern", or "contractor" are. The auditor suggests this policy be revised to include more clear definitions of the types of employees subjected to its hiring policies and practices. A review of 10 randomly selected staff, volunteer, and contracted staff files indicated timely criminal background checks and subsequent annual criminal background checks.

115.17 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-900 HIRING, PROMOTIONS, AND DISCIPLINE, D-500 SUPERVISOR PERSONNEL FILES, Agency Forms, Background Files, Hiring Files, Personal History Statement, Employee Evaluation Reports, Confirmation Reports from the FBI/DOJ Fingerprint Alert System

INTERVIEWS:

Ten randomly selected Staff

FINDINGS:

The agency policy requires criminal history and child abuse registry checks will be conducted every five (5) years for non-sworn staff members, contractors, interns, and volunteers. The auditor reviewed 10 samples of randomly selected staff/employee files which indicated timely criminal background checks, all were completed within the appropriate policy timeframes. Additionally, Kern County is also a subscriber to both DOJ and FBI's fingerprint alert system. For the duration of employment, Kern County will receive notification of any arrest and the charges against any employee or contractor.

115.17 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-900 HIRING, PROMOTIONS, AND DISCIPLINE, D-500 SUPERVISOR PERSONNEL FILES, Agency Forms, Background Files, Hiring Files, Personal History Statement, Employee Evaluation Reports, Confirmation Reports from the FBI/DOJ Fingerprint Alert System

INTERVIEWS:

Backgrounds and Recruiting Supervising Staff

FINDINGS:

The auditor reviewed the above applicable policy. When an employee applies for promotion, there is an agency form they are required to fill out. It confirms that they have not been involved in any incident of sexual harassment or sexual abuse in a jail, prison, community confinement facility, or lockup. They also are required to disclose if they had previously been convicted of engaging or attempting to engage in sexual misconduct in any jail or community

facility by force or fear, implied threats, force, or coercion.

Additionally, the auditor conducted "spot checks" of 10 promotional forms. They had all been completed appropriately and disclosed whether or not the promotional candidate was ever accused of sexual harassment or sexual abuse.

All persons attempted to get hired with the agency are subject to the same requirements and complete a thorough background check.

115.17 (g)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-900 HIRING, PROMOTIONS, AND DISCIPLINE

INTERVIEWS:

Backgrounds and Recruiting Supervising Staff

FINDINGS:

Policy P-900 address the elements of this provision. The agency's policy covers background checks for employees. It mandates any employee who has had contact (no matter the reason) with another law enforcement agency report it as soon as possible to the on-duty watch commander. This hopefully ensures the agency gains knowledge of any employee misconduct while off-duty.

The auditor conducted a review of the above policy. The auditor confirmed that the material omissions regarding such misconduct or the provision of materially false information, shall be grounds for termination. The auditor's interview with the Backgrounds and Recruiting Staff confirmed the agency's policy on material omissions.

115.17 (h)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-900 HIRING, PROMOTIONS, AND DISCIPLINE

INTERVIEWS:

Backgrounds and Recruiting Supervising Staff

FINDINGS:

Policy P-600, and P-900 address the elements of this provision. The auditor conducted a review of the above policy. The auditor interviewed the Backgrounds and Recruiting Staff. Staff reported if the new potential employer secures a release form the former employee, then the information will be released. Staff reported without the release form, the agency will not disclose the information.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>115.18(a) POLICY AND DOCUMENT REVIEW: The agency reported it has not acquired a new facility to date, nor has it made a substantial expansion to existing facilities since August 20, 2012. Kern County is in the process of completing a new jail facility, Justice, which will be opening in May 2018. FINDINGS: This provision is not applicable as the agency reported it has not a new facility to date, nor has it made a substantial expansion to existing facilities since August 20, 2012.</p> <p>115.18 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-200, DIRECTIVE A-2; SEXUAL ABUSE PREVENTION AND DETECTION ONSITE REVIEW (TOUR OBSERVATIONS); During the tour of the facility, the auditor noted that the facility installed new cameras as well as updated their current video monitoring system. The auditor took a tour of the control center where the video monitors were located. The auditor also took a tour of the security check system and was provided with an explanation and demonstration of how the system worked. INTERVIEWS: Random Staff Interviews FINDINGS: Agency Policy P-200 address this provision. The auditor conducted a review of the policy. The auditor noted during the on-site tour, the Lerdo Pre-Trial Facility is an older facility. The facility’s management recently spent a substantial amount of money on new video surveillance systems and a new security check system to assist and improve upon their current staffing plan. The upgrade to newer technology and addition of new cameras since the previous audit specifically addressed the PREA standards allowing for the maximum safety of inmates. During the tour, the auditor noted a substantial amount of cameras throughout the facility. The auditor noted in the above policy, P-200 DIRECTIVE A-2 states, “When deigning or acquiring any new facility and in planning any substantial expansion or modification of existing facilities, the agency will consider the effect of the design, acquisition, expansion, or modification upon its ability to protect inmates from sexual abuse.” A Deputy that controls access to the facility also monitors several camera views for the inmates and their safety. Additionally, the Supervisors conduct daily audits to ensure Deputies are conducting their general observation and safety checks utilizing the new safety check system per their policy. The agency’s staffing plan reflects the enhanced technology will augment the staff supervision and enhance the safety of the inmates.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.21 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, The agency reported it oversees administrative investigations and it also oversees the criminal investigations.</p> <p>INTERVIEWS: Random Staff Interviews, Sexual Assault Detective</p> <p>FINDINGS: The agency is responsible for conducting all administrative sexual abuse allegations. When investigating, the agency enlists the use of a uniform evidence protocol. Policy P-600 entitled “PREA- Criminal and Administrative Investigations” states that all investigations shall be conducted utilizing standard investigative methods in accordance with all laws. The auditor conducted a review of the above policy. Policy P-500 entitled “Sexual Assault / Abuse – Security Response Plan” was reviewed regarding the agency’s evidence protocol. Additionally, the auditor noted during random staff member interviews, staff members were aware of the policy and had a clear knowledge of their responsibilities as potential first responders and knowledge of agency policy and staff roles and responsibilities pertaining to investigations of allegations of sexual abuse. The auditor conducted random staff interviews. Each staff member interviewed was able to mention at least one (1) Supervisor they would report the incident to. Each staff member had received training on how to collect DNA evidence both in a custodial setting and at a crime scene.</p> <p>115.21 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, Memorandum of Understanding with Kern Medical Center, Memorandum of Understanding with Kern County’s Women Advocacy Center, The agency reported it oversees administrative investigations and it also oversees the criminal investigations.</p> <p>INTERVIEWS: Random Staff Interviews, PREA Coordinator, Kern Medical Center SART Nursing Staff, Women’s Advocacy Center Counselors, “The Women’s Center” Advocates/Counselors</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): The auditor was able to take a tour of the Kern Medical Center SART building. This is an offsite location whom the agency has a Memorandum of Understanding (MOU) to conduct all SART examinations. All sexual assault allegations in custody which require a SART examination are brought to this location. The auditor was able to speak with available SART staff. The auditor was also able to take a tour of the local Women’s Advocacy Center which is the main building for “The Women’s Center.” The auditor was also able to interview two members of the counseling staff while touring.</p> <p>FINDINGS: Agency Policy P-600 address this provision. Per the agency policy, the agency has a current MOU with the local medical center to conduct all SAFE and SANE forensic medical</p>

examinations. The auditor was given the MOU to review. The auditor confirmed through the review, only qualified medical professionals conduct forensic medical examinations on inmates. The auditor had the opportunity to tour this facility during the audit. The auditor was also able to speak with the SAFE/SANE nurses at this facility who spoke of the positive working relationship they have with this agency.

The auditor noted the agency documents all allegations of sexual abuse and/or sexual harassment including any forensic medical examinations.

The auditor confirmed agency also has a current MOU with the local victim's rights advocate center. The Women's Center provides a counselor to aid the victim. The auditor confirmed the counselor is allowed to accompany the victim through the forensic medical examination process. The auditor had the opportunity to tour the women's center as well during the audit.

The auditor interviewed several advocate counselors who spoke highly about the agency and the positive working relationship they have, specifically in regards to custody and PREA.

The auditor noted the agency is responsible for conducting all administrative sexual abuse allegations. When investigating, the agency enlists the use of a uniform evidence protocol.

The auditor conducted an interview with SART medical staff and the PREA Coordinator that the agency's protocol is based on the most recent edition of the U.S. Department of Justice's Office on Violence against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents."

The auditor noted that all forensic medical examinations are offered to all victims at no cost.

115.21 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, Memorandum of Understanding with Kern Medical Center, Memorandum of Understanding with Kern County's Women Advocacy Center, The agency reported it oversees administrative investigations and it also oversees the criminal investigations.

INTERVIEWS:

Random Staff Interviews, PREA Coordinator, Kern Medical Center SART Nursing Staff, Women's Advocacy Center Counselors, "The Women's Center" Advocates/Counselors, Medical and Mental Health Staff at Lerdo Jail

ONSITE REVIEW (TOUR OBSERVATIONS):

The auditor was able to take a tour of the Kern Medical Center SART building. This is an offsite location whom the agency has a longstanding contract to conduct all SART examinations. All sexual assault allegations which require a SART examination are brought to this location. The auditor was able to speak with available SART staff. The auditor was also able to take a tour of the local Women's Advocacy Center which is the main building for "The Women's Center." The auditor was also able to interview two members of the counseling staff while touring.

FINDINGS:

Although policy is not required, Policy P-600 address this provision. The agency is responsible for conducting all administrative sexual abuse allegations. When investigating, the agency enlists the use of a uniform evidence protocol.

There has not been any need for any SAFE/SANE medical examinations in the past 12 months, nor any examinations by professional medical staff.

The auditor confirmed during an interview with the PREA Coordinator that the facility has a contract with "Kern Medical Center" which is the county hospital in the area. Kern Medical

Center provides all the SART exams in the area. The rape crisis center in the immediate area is named "The Women's Center". Inmates can dial an extension from any phone in their day room area to contact a rape counselor directly and with confidentiality. Counselors and mental health staff are also available upon request for victim advocate purposes. Since this is a contract, there is always an advocate available from the center 24/7. A review of the agency policy, MOU agreements, interviews with SART nursing staff and counselors indicate the agency has secured local confidential victim advocacy resources needed in response to this provision.

115.21 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, Memorandum of Understanding with Kern Medical Center, Memorandum of Understanding with Kern County's Women Advocacy Center
INTERVIEWS:

PREA Coordinator, Inmate who reported sexual abuse while in custody

ONSITE REVIEW (TOUR OBSERVATIONS):

The auditor was able to take a tour of the Kern Medical Center SART building. This is an offsite location whom the agency has a longstanding contract to conduct all SART examinations. All sexual assault allegations which require a SART examination are brought to this location. The auditor was able to speak with available SART staff. The auditor was also able to take a tour of the local Women's Advocacy Center which is the main building for "The Women's Center." The auditor was also able to interview two members of the counseling staff while touring.

FINDINGS:

Although policy is not required, Policy P-600 address this provision. Per the agency policy, the auditor confirmed the agency has a current MOU with the local victim's rights advocate center. "The Women's Center" provides a counselor to aid the victim. The auditor confirmed a licensed department counselor (LPC, LMSW, etc.) would be made available to accompany the inmate through the forensic exam and investigative interviews only upon request from the inmate.

The auditor conducted a review of the above policy. During the on-site tour, the auditor confirmed inmates can dial an extension from any phone in their day room area to contact a rape counselor directly and with confidentiality. The auditor dialed the number from a day room, and confirmed counselors were available to answer the phone. Counselors and mental health staff are also available upon request for victim advocate purposes. Since this is a contract, there is always an advocate available from the center 24/7. A review of the agency policy, MOU agreements, interviews with SART nursing staff and counselors indicate the agency has secured local confidential victim advocacy resources needed in response to this provision.

The auditor confirmed during the facility tour and also during the random inmate interviews, inmates can call an "800" number on any phone at the facility at any time to reach an outside counselor/advocate. The inmate hotline is accessed by dialing "07777" from any inmate phone in the facility. The inmates can also notify a deputy and they are given the opportunity to speak with medical staff who can then summon the appropriate outside resource. The auditor dialed the number from a housing unit phone and confirmed the phone number works accurately and appropriately.

115.21 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, Memorandum of Understanding with Kern Medical Center, Memorandum of Understanding with Kern County's Women Advocacy Center
INTERVIEWS:

PREA Coordinator, Inmate who reported sexual abuse while in custody

ONSITE REVIEW (TOUR OBSERVATIONS):

The auditor was able to take a tour of the Kern Medical Center SART building. This is an offsite location whom the agency has a longstanding contract to conduct all SART examinations. All sexual assault allegations which require a SART examination are brought to this location. The auditor was able to speak with available SART staff. The auditor was also able to take a tour of the local Women's Advocacy Center which is the main building for "The Women's Center." The auditor was also able to interview two members of the counseling staff while touring.

FINDINGS:

Although policy is not required, Policy P-600 address this provision. The auditor reviewed the current MOU contract. Per the agency policy, the auditor confirmed the agency has a current MOU with the local victim's rights advocate center. The Women's Center provides a counselor to aid the victim. The auditor confirmed a licensed department counselor (LPC, LMSW, etc.) would be made available to accompany the inmate through the forensic exam and investigative interviews only upon request from the inmate.

115.21 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, Memorandum of Understanding with Kern Medical Center, Memorandum of Understanding with Kern County's Women Advocacy Center
INTERVIEWS:

PREA Coordinator, Sexual Assault Detective

FINDINGS:

Although policy is not required, Policy P-600 address this provision. Per the agency policy, the agency is responsible for investigating allegations of sexual abuse. The agency is responsible for conducting all administrative sexual abuse allegations. When investigating, the agency enlists the use of a uniform evidence protocol.

Policy P-600 entitled "PREA- Criminal and Administrative Investigations" states that all investigations shall be conducted utilizing standard investigative methods in accordance with all laws. Policy P-500 entitled "Sexual Assault / Abuse – Security Response Plan" was reviewed regarding the agency's evidence protocol. The auditor conducted a review of the above policy. The auditor also conducted random staff interviews. The auditor confirmed that staff members were aware of the policy and had received training on how to collect DNA evidence both in a custodial setting and at a crime scene.

The auditor interviewed the agency's Sexual Assault Detective who confirmed they have received sexual assault investigation training specific to a custodial setting, as well as additional PREA training. A review of training certificates confirmed they had received training by the National Institute of Corrections.

115.21 (g)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Memorandum of Understanding with Kern Medical Center, Memorandum of Understanding with Kern County's Women Advocacy Center

INTERVIEWS:

PREA Coordinator, Sexual Assault Detective

FINDINGS:

Although policy is not required, Policy P-500, and P-600 address this provision. Per the agency policy, the agency is responsible for investigating allegations of sexual abuse. The agency is responsible for conducting all administrative sexual abuse allegations. When investigating, the agency enlists the use of a uniform evidence protocol.

Policy P-600 entitled "PREA- Criminal and Administrative Investigations" states that all investigations shall be conducted utilizing standard investigative methods in accordance with all laws. Policy P-500 entitled "Sexual Assault / Abuse – Security Response Plan" was reviewed regarding the agency's evidence protocol. The auditor conducted a review of the above policy. The auditor conducted random staff member interviews and confirmed staff members were aware of the policy and had received training on how to collect DNA evidence both in a custodial setting and at a crime scene.

The auditor interviewed the agency's Sexual Assault Detective who confirmed they have received sexual assault investigation training specific to a custodial setting, as well as additional PREA training. A review of training certificates confirmed they had received training by the National Institute of Corrections.

115.21 (h)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, Memorandum of Understanding with Kern Medical Center, Memorandum of Understanding with Kern County's Women Advocacy Center

INTERVIEWS:

PREA Coordinator, Sexual Assault Detective

FINDINGS:

Although policy is not required, Policy P-600 address this provision. Per the agency policy, the agency is responsible for investigating allegations of sexual abuse. The agency is responsible for conducting all administrative sexual abuse allegations. When investigating, the agency enlists the use of a uniform evidence protocol.

Policy P-600 entitled "PREA- Criminal and Administrative Investigations" states that all investigations shall be conducted utilizing standard investigative methods in accordance with all laws. Policy P-500 entitled "Sexual Assault / Abuse – Security Response Plan" was reviewed regarding the agency's evidence protocol. The auditor conducted random staff member interviews and confirmed that staff members were aware of the policy and had received training on how to collect DNA evidence both in a custodial setting and at a crime scene.

The auditor interviewed the agency's Sexual Assault Detective who confirmed they have received sexual assault investigation training specific to a custodial setting, as well as additional PREA training. A review of training certificates confirmed they had received training by the National Institute of Corrections.

115.22	Policies to ensure referrals of allegations for investigations
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 387 360">115.22 (a)</p> <p data-bbox="252 371 730 405">POLICY AND DOCUMENT REVIEW:</p> <p data-bbox="252 416 1481 528">Agency Policy Agency Policy P-300 EMPLOYEE TRAINING AND INMATE EDUCATION, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS</p> <p data-bbox="252 539 440 573">INTERVIEWS:</p> <p data-bbox="252 584 1410 663">Random Staff Interviews, Specialized Staff, Supervising Staff, Internal Affairs Staff, PREA Coordinator</p> <p data-bbox="252 674 400 707">FINDINGS:</p> <p data-bbox="252 719 1481 920">Agency Policy P-300, P-500 and P-600 address this provision. A review of the agency policy, training curriculum, training records, and staff interviews demonstrate PREA related training is conducted and staff attend, participate and complete the training. The agency PowerPoint and lecture curriculum address all of the required fields. Staff are also required to complete the National Institute of Corrections online PREA training.</p> <p data-bbox="252 976 1481 1346">The auditor spoke with a total of thirty-five (35) randomly selected staff. Of the thirty-five interviewed, all were assigned to the facility at the time of the onsite audit. Staff interviewed reported receiving training in all the required topics within the past year. The auditor spoke with two (2) shift Sergeants during supervisor interviews. The auditor noted Sergeants and Senior Deputy Staff are responsible for conducting all initial investigations which allege sexual abuse or sexual misconduct in the facility. They conduct an initial investigation, and if the allegation is found to have any type of merit, they call out detectives to finish the investigation. Supervising staff interviewed ensured that an administrative and criminal investigation is completed for all allegations of sexual abuse.</p> <p data-bbox="252 1402 1481 1603">The auditor reviewed additional policy which outlines that investigations shall be conducted utilizing standard investigation methods in accordance with all laws. NO standard higher than the preponderance of the evidence shall be used in determining whether allegations of sexual abuse or sexual harassment are substantiated in administrative investigations. A review of P-600 DIRECTIVE #4 outlines the protocol for both criminal and administrative investigations.</p> <p data-bbox="252 1659 1442 1861">The PREA Coordinator created a PREA binder that is being implemented to assist staff in properly reporting and investigating PREA incidents in the Pre-Trial correctional facility. The "PREA Resource Information Binder" is going to be consistent throughout all of the Kern County detention facilities. The binder will be located in the supervisor's office and will be located at their work stations for easy access.</p> <p data-bbox="252 1917 1485 2119">The "PREA Resource Information Binder" contains PREA flow charts on how to properly report and investigate any PREA allegation. It also contains a PREA related phone contact list, training bulletins, PREA related policies, directions to the SART/SANE center, and the PREA training refresher- A PowerPoint which outlines all investigations for PREA. The Auditor was given a "PREA Resource Information Binder" to review.</p>

The PREA Coordinator also met with upper management and conducted a review of all current PREA policies on July 27, 2018. Another meeting was conducted on August 10, 2018. The PREA Coordinator showed the Auditor the documented review of policies P500, P550, and P600. The Auditor reviewed the small suggestive changes. The PREA related policies have been reviewed and revised to show all current PREA trends and laws.

The Agency's new PREA binder provides an effective way for the Deputies and Supervisors on duty to review the proper reporting procedures and updated policies and utilize them when necessary. The binder have been implemented at the Lerdo Pre-Trial facility and are currently being utilized.

115.22 (b)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

Random Staff Interviews, Specialized Staff, Supervising Staff, Internal Affairs Staff, PREA Coordinator

FINDINGS:

Agency Policy P-100, P-500 and P-600 address this provision. The auditor reviewed policy P-100 which is also displayed on the Kern County Sheriff's Office website. The auditor also reviewed agency policy P-600 which outlines that investigations shall be conducted by Kern County's Sexual Assault Detectives utilizing standard investigation methods in accordance with all laws. NO standard higher than the preponderance of the evidence shall be used in determining whether allegations of sexual abuse or sexual harassment are substantiated in administrative investigations. A review of P-600 DIRECTIVE #4 outlines the protocol for both criminal and administrative investigations.

115.22 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

Random Staff Interviews, Specialized Staff, Supervising Staff, Internal Affairs Staff, PREA Coordinator

FINDINGS:

Agency Policy P-100, P-500 and P-600 address this provision. The auditor also reviewed agency policy P-600 which outlines that investigations shall be conducted by Kern County's Sexual Assault Detectives utilizing standard investigation methods in accordance with all laws. NO standard higher than the preponderance of the evidence shall be used in determining whether allegations of sexual abuse or sexual harassment are substantiated in administrative investigations. The auditor conducted a review of P-600 DIRECTIVE #4 outlines the protocol for both criminal and administrative investigations. P-600 describes investigative responsibilities of both the agency and the separate entity that conducts criminal investigations for the agency.

115.22 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

Random Staff Interviews, Specialized Staff, Supervising Staff, Internal Affairs Staff, PREA Coordinator

FINDINGS:

Agency Policy P-100, P-500 and P-600 address this provision. The auditor conducted a review of the above policy. The provision is not applicable to this agency as it conducts and handles its own administrative and criminal investigations.

115.22 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY RESPONSE PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

Random Staff Interviews, Specialized Staff, Supervising Staff, Internal Affairs Staff, PREA Coordinator

FINDINGS:

Agency Policy P-100, P-500 and P-600 address this provision. The auditor conducted a review of the above policy. The provision is not applicable to this agency as it conducts and handles its own administrative and criminal investigations.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.31 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-300 EMPLOYEE TRAINING AND INMATE EDUCATION, Agency Curriculum, Agency PREA PowerPoints, 10 Randomly selected training records.</p> <p>INTERVIEWS: Random Staff, Specialized Staff, Supervising Staff, PREA Coordinator</p> <p>FINDINGS: Agency Policy P-100, P-300 address this provision. The auditor conducted a review of the above policy. The agency policy, training curriculum, training records, and staff interviews demonstrate PREA related training is conducted and staff attend, participate and complete the training. The agency policy and curriculum address all of the required topics.</p> <p>The auditor interviewed a total of thirty-five (35) randomly selected staff. Of the thirty-five (35) interviewed, all were assigned to the facility at the time of the audit. Staff interviewed and acknowledged attending and participating in the PREA training and confirmed the required topics were covered during the training. The staff interviewed reported receiving training in all the required topics within the past year.</p> <p>115.31 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-300 EMPLOYEE TRAINING AND INMATE EDUCATION, Agency Curriculum, Agency PREA PowerPoints, 10 Randomly selected training records.</p> <p>INTERVIEWS: Random Staff, Specialized Staff, Supervising Staff, PREA Coordinator</p> <p>FINDINGS: Agency Policy P-100, P-300 address this provision. The auditor conducted a review of the above policy. A review of the agency policy, training curriculum, training records, and staff interviews demonstrate PREA related training is conducted and staff attend, participate and complete the training. The agency policy and curriculum address all of the required topics.</p> <p>The auditor interviewed a total of thirty-five (35) randomly selected staff. Of the thirty-five (35) interviewed, all were assigned to the facility at the time of the audit. Staff interviewed and acknowledged attending and participating in the PREA training and confirmed the required topics were covered during the training. The staff interviewed reported receiving training in all the required topics within the past year.</p> <p>The auditor reviewed agency policy P-300 specifically. All training was tailored to the gender of the inmates residing in the facility. Employees who are assigned in units opposite their own gender are given additional training. Employees receive PREA training on an annual basis. Between trainings, all employees receive refresher training in musters. PREA training is a constant topic during musters. This was confirmed by the various random staff interviews conducted during the audit.</p> <p>The agency also confirms that all employees have received training on PREA as well as the agency's most current PREA policies via the computer which requires an electronic signature.</p>

115.31 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-300 EMPLOYEE TRAINING AND INMATE EDUCATION, Agency Curriculum, Agency PREA PowerPoints, 10 Randomly selected training records.

INTERVIEWS:

Random Staff, Specialized Staff, Supervising Staff, PREA Coordinator

FINDINGS:

Agency Policy P-100, P-300 address this provision. The auditor reviewed agency policy P-300 specifically. Agency policy requires staff receive PREA related training during orientation and on an annual basis. The auditor reviewed ten (10) randomly selected employee training records. A review of the randomly selected employee training records reflected all had participated and completed the required PREA training. Additionally, Agency Policy requires all correctional Deputies complete this training during orientation. Training documentation reviewed supported the participation of all Deputies, as well as participation by management and support staff in the training.

115.31 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-300 EMPLOYEE TRAINING AND INMATE EDUCATION, Agency Curriculum, Agency PREA PowerPoints, 10 Randomly selected training records.

INTERVIEWS:

Random Staff, Specialized Staff, Supervising Staff, PREA Coordinator

FINDINGS:

Agency Policy P-300 address this provision. The auditor conducted a review of the above policy and a review of the signed acknowledgement forms. The agency maintains the signed acknowledgement forms which affirm the Deputies understand the training they have received. Through staff interviews, it was made clear to the auditor that the staff understand the PREA training.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.32 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-300 EMPLOYEE TRAINING AND INMATE EDUCATION, Agency Curriculum, Agency PREA PowerPoints, Volunteer, Intern, and Contract Staff training documentation, which included five (5) randomly selected training files, sign-in sheets, signed acknowledgement forms, and Certificates of Completion for Medical and Mental Health Staff.</p> <p>INTERVIEWS: Volunteers and Contractors</p> <p>FINDINGS: Agency Policy P-100, and P-300 address this provision. The auditor conducted a review of the above policy. The Volunteer, Intern, and Contractor staff training documentation was reviewed. Training documentation reflected training events held specifically for mental health and contract staff and volunteer/interns.</p> <p>The auditor interviewed five randomly selected volunteers and contractors. The volunteers and contracted staff interviewed reported being trained on their responsibilities under the agency’s sexual abuse and sexual harassment prevention, detection and response policies and procedures. The agency maintains the signed acknowledgement forms which affirm the Volunteers, Interns, and Contract Staff understood the training they received. Through staff interviews, it was made clear to the auditor that the staff understand the PREA training.</p> <p>115.32 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-300 EMPLOYEE TRAINING AND INMATE EDUCATION, Agency Curriculum, Agency PREA PowerPoints, Volunteer, Intern, and Contract Staff training documentation, which included five (5) randomly selected training files, sign-in sheets, signed acknowledgement forms, and Certificates of Completion for Medical and Mental Health Staff.</p> <p>INTERVIEWS: Volunteers and Contractors</p> <p>FINDINGS: Agency Policy P-100, and P-300 address this provision. The auditor conducted a review of the above policy. The Volunteer, Intern, and Contractor staff training documentation was reviewed. Training documentation reflected training events held specifically for mental health and contract staff and volunteer/interns. The auditor interviewed five randomly selected volunteers and contractors. The volunteers and contracted staff interviewed reported being trained on their responsibilities under the agency’s sexual abuse and sexual harassment prevention, detection and response policies and procedures. The auditor reviewed signed acknowledgement forms. The agency maintains the signed acknowledgement forms which affirm the Volunteers, Interns, and Contract Staff understood the training they received. Through staff interviews, it was made clear to the auditor that the staff understand the PREA training.</p>

115.32 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-300 EMPLOYEE TRAINING AND INMATE EDUCATION, Agency Curriculum, Agency PREA PowerPoints, Volunteer, Intern, and Contract Staff training documentation, which included five (5) randomly selected training files, sign-in sheets, signed acknowledgement forms, and Certificates of Completion for Medical and Mental Health Staff.

INTERVIEWS:

Volunteers and Contractors

FINDINGS:

Agency Policy P-100, and P-300 address this provision. The auditor conducted a review of the above policy. The Volunteer, Intern, and Contractor staff training documentation was reviewed. Training documentation reflected training events held specifically for mental health and contract staff and volunteer/interns. The auditor interviewed five (5) randomly selected volunteers and contractors. The volunteers and contracted staff interviewed reported being trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection and response policies and procedures. The agency maintains the signed acknowledgement forms which affirm the Volunteers, Interns, and Contract Staff understood the training they received. Through staff interviews, it was made clear to the auditor that the staff understand the PREA training.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.33 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, Inmate Rules and Regulations Handbook (English and Spanish), PREA Brochures (English and Spanish), ten (10) randomly selected intake classification files.</p> <p>INTERVIEWS: Classification Unit staff, Two (2) Randomly Selected Staff assigned to intake duties and thirty-five (35) randomly selected inmates</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): The auditor was able to take a tour of the main jail Classification Unit. During the tour, the auditor was shown the updated classification intake computer program. The program is utilized during each intake interview with newly booked inmates.</p> <p>FINDINGS: Agency Policy P-100 address this provision. The auditor conducted a review of ten (10) randomly selected intake classification files which reflected all inmates were provided the initial education required on the same day during intake. During the auditor’s tour of the facility, the intake staff and the classification staff showed and explained to the auditor the updated classification intake computer program. The computer records every intake question including all required and pertinent PREA related questions. If the newly booked inmate answers “YES” to the PREA questions during the intake screening, the inmate’s classification file gets flagged and the inmate’s information gets sent, via email, directly to the PREA Coordinator for review and follow-up. The auditor noted in all randomly selected classification files, inmates received information explaining the agency’s Zero-tolerance policy regarding sexual abuse and sexual harassment. Staff reported information on the zero tolerance policy and how to report allegations are also contained on posters, which are posted throughout the facility, and that the PREA information is presented again on weekends to the groups in the housing units. A majority of the inmates interviewed reported being provided the PREA information during intake. The inmates who reported not receiving all of the PREA information admitted they came into custody under the influence of drugs and/or alcohol and could not remember having any type of intake process completed. A couple of additional inmates admitted being at the facility multiple times and acknowledged receiving the information each time they came into custody.</p> <p>115.33 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, Inmate Rules and Regulations Handbook (English and Spanish), PREA Brochures (English and Spanish), ten (10) randomly selected intake classification files.</p> <p>INTERVIEWS: Classification Unit staff, Two (2) Randomly Selected Staff assigned to intake duties and thirty-five (35) randomly selected inmates</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): The auditor was able to take a tour of the main jail Classification Unit. During the tour, the</p>

auditor was shown the updated classification intake computer program. The program is utilized during each intake interview with newly booked inmates.

FINDINGS:

Agency Policy P-100 address this provision. The auditor conducted a review of ten (10) randomly selected intake classification files which reflected all inmates were provided the initial education required on the same day during intake. During the auditor's tour of the facility, the intake staff and the classification staff showed and explained to the auditor the updated classification intake computer program. The computer records every intake question including all required and pertinent PREA related questions. If the newly booked inmate answers "YES" to the PREA questions during the intake screening, the inmate's classification file gets flagged and the inmate's information gets sent, via email, directly to the PREA Coordinator for review and follow-up. The auditor noted in all randomly selected classification files, inmates received information explaining the agency's Zero-tolerance policy regarding sexual abuse and sexual harassment. Staff reported information on the zero tolerance policy and how to report allegations are also contained on posters, which are posted throughout the facility, and that the PREA information is presented again on weekends to the groups in the housing units via video.

115.33 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, Inmate Rules and Regulations Handbook (English and Spanish), PREA Brochures (English and Spanish), ten (10) randomly selected intake classification files.

INTERVIEWS:

Classification Unit staff, Two (2) Randomly Selected Staff assigned to intake duties and thirty-five (35) randomly selected inmates

ONSITE REVIEW (TOUR OBSERVATIONS):

The auditor was able to take a tour of the main jail Classification Unit. During the tour, the auditor was shown the updated classification intake computer program. The program is utilized during each intake interview with newly booked inmates.

FINDINGS:

Agency Policy P-100 address this provision. The auditor conducted a review of ten (10) randomly selected intake classification files which reflected all inmates had been provided the required PREA related information and education. Staff interviewed reported the information is provided during intake and during the he initial intake process when they are given an Inmate Rules and Regulations Handbook outlining all of the pertinent PREA information. Once transferred to a different facility, they are given another Inmate Rules and Regulations Handbook again during the intake and screening process into the new facility.

115.33 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Inmate Rules and Regulations Handbook (English and Spanish), PREA Brochures (English, Spanish, and Brail), Deaf and Hard of Hearing Brochures.

FINDINGS:

Agency Policy P-100, P-400, and the Inmate Rules and Regulations Handbook address this provision. The auditor reviewed the Inmate rules and regulations handbook as well as the

PREA related information and education materials provided in English and Spanish include the Inmate Handbook, PREA brochures, and PREA posters. The Inmate Handbook is available to the inmates in each housing unit. PREA posters, English and Spanish, are posted throughout the facility and in each housing unit. There is also one version of the PREA brochure that is available by brail for inmates that are deaf and hard of hearing.

115.33 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, Inmate Rules and Regulations Handbook (English and Spanish), PREA Brochures (English and Spanish), ten (10) randomly selected intake classification files.

INTERVIEWS:

Classification Unit staff, Two (2) Randomly Selected Staff assigned to intake duties and thirty-five (35) randomly selected inmates

ONSITE REVIEW (TOUR OBSERVATIONS):

The auditor was able to take a tour of the main jail Classification Unit. During the tour, the auditor was shown the updated classification intake computer program. The program is utilized during each intake interview with newly booked inmates.

FINDINGS:

Agency Policy P-100 address this provision. The auditor conducted a review of ten (10) randomly selected intake classification files reflected all inmates were provided the initial education required on the same day during intake. During the auditor's tour of the facility, the intake staff and the classification staff showed and explained to the auditor the updated classification intake computer program. The computer records every intake question including all required and pertinent PREA related questions. If the newly booked inmate answers "YES" to any of the PREA questions during the intake screening, the inmate's classification file gets flagged and the inmate's information gets sent, via email, directly to the PREA Coordinator for review and follow-up. The auditor noted in all randomly selected classification files, inmates received information explaining the agency's Zero-tolerance policy regarding sexual abuse and sexual harassment.

115.33 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, Inmate Rules and Regulations Handbook (English and Spanish), PREA Brochures (English and Spanish), ten (10) randomly selected intake classification files.

ONSITE REVIEW (TOUR OBSERVATIONS):

PREA educational and informational materials, including the Inmate Handbook and PREA posters are available in each respective housing unit.

FINDINGS:

Agency Policy P-100 address this provision. The auditor conducted a review of the above policy and related educational materials. PREA educational and informational materials, including the Inmate Handbook and PREA posters are continuously available in each respective housing unit.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.34 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ ABUSE- SECURITY RESPONSE PLAN, P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, ICI Sexual Assault Course Outline, Kern County PowerPoint training modules, and PREA general and specialized Detective training records sign-in sheets</p> <p>INTERVIEWS: Investigative Staff was interviewed.</p> <p>FINDINGS: Agency Policy P-100, P-500 and P-600 address this provision. The auditor conducted Investigative Staff interviews. Staff interviewed received formal training in sexual assault and sexual abuse investigations from a Police Officer Standardized Training institute- The Robert Presley Institute of Criminal Investigations (ICI). This ICI Course is an 80 hour course focusing specifically on sexual assault investigations. Training documentation reflected the Detectives had completed the general PREA training offered by the National Institute of Corrections specialized Detective training modules.</p>
	<p>115.34 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ ABUSE- SECURITY RESPONSE PLAN, P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, ICI Sexual Assault Course Outline, Kern County PowerPoint training modules, and PREA general and specialized Detective training records sign-in sheets</p> <p>INTERVIEWS: Investigative Staff was interviewed.</p> <p>FINDINGS: Agency Policy P-100, P-500 and P-600 address this provision. The auditor conducted Investigative Staff interviews. Staff interviewed received formal training in sexual assault and sexual abuse investigations from a Police Officer Standardized Training institute- The Robert Presley Institute of Criminal Investigations (ICI). This ICI Course is an 80 hour course focusing specifically on sexual assault investigations. The auditor reviewed the ICI Course curriculum and the training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection, and evidence required to substantiate a case for administrative or prosecutorial referral. Training documentation also reflected the Detectives had completed the general PREA training offered by the National Institute of Corrections specialized Detective training modules.</p>
	<p>115.34 (c)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ ABUSE- SECURITY RESPONSE PLAN, P-600</p>

CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, ICI Sexual Assault Course Outline, Kern County PowerPoint training modules, and PREA general and specialized Detective training records sign-in sheets

INTERVIEWS:

Investigative Staff was interviewed.

FINDINGS:

Agency Policy P-100, P-500 and P-600 address this provision. The auditor interviewed Investigative Staff. Staff interviewed received formal training in sexual assault and sexual abuse investigations from a Police Officer Standardized Training institute- The Robert Presley Institute of Criminal Investigations (ICI). This ICI Course is an 80 hour course focusing specifically on sexual assault investigations. The auditor reviewed the ICI Course curriculum and the training includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection, and evidence required to substantiate a case for administrative or prosecutorial referral. Training documentation also reflected the Detectives had completed the general PREA training offered by the National Institute of Corrections specialized Detective training modules.

115.34 (d)

POLICY AND DOCUMENT REVIEW:

The agency is not required to respond to this provision.

FINDINGS:

This agency is not required to respond to this provision.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.35 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ ABUSE- SECURITY RESPONSE PLAN, P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Kern County PowerPoint training modules, and PREA training records sign-in sheets, National Institute of Corrections Certificates of Completion</p> <p>INTERVIEWS: Medical and Mental Health Staff.</p> <p>FINDINGS: Agency Policy P-100, P-500 and P-500 address this provision. The auditor reviewed all training documentation. Training documentation reviewed indicated medical and mental health staff participated in the specialized medical and mental health PREA training.</p> <p>115.35 (b) POLICY AND DOCUMENT REVIEW: The agency reported the facility's medical staff do not conduct forensic exams, therefore this provision is not applicable.</p> <p>INTERVIEWS: Medical.</p> <p>FINDINGS: The PREA Coordinator was interviewed by the auditor. The agency reported the facility's medical staff do not conduct forensic exams, therefore this provision is not applicable. Medical staff interviewed confirmed they do not conduct forensic exams onsite and that Kern Medical Center provides that service.</p> <p>115.35 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ ABUSE- SECURITY RESPONSE PLAN, P-600 CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Kern County PowerPoint training modules, and PREA training records sign-in sheets, National Institute of Corrections Certificates of Completion</p> <p>INTERVIEWS: Medical and Mental Health Staff.</p> <p>FINDINGS: Agency Policy P-100, P-500 and P-500 address this provision. The auditor conducted a review of the above policy and all training documentation. Training documentation reviewed indicated medical and mental health staff, including contract staff, participated in the specialized medical and mental health PREA training. Training documentation reflected some of the training was secured in-house as well as via online coursework through the National Institute of Corrections (NIC).</p>

115.35 (d)

POLICY AND DOCUMENT REVIEW:

Training records: Randomly selected training files, sign-in sheets, and Certificates of Completion

FINDINGS:

The auditor reviewed training documentation. Training documentation reviewed indicated medical and mental health staff, including contract staff, participated in the specialized medical and mental health PREA training.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.41 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System</p> <p>INTERVIEWS: Staff Responsible for risk screening: Intake and medical staff, and randomly selected inmates</p> <p>FINDINGS: Agency Policy P-100, P-400, and K-300 address this provision. The auditor conducted a review of the above policy. The auditor had a chance to review ten (10) random classification files. Ten of the case files reflected the screening process was completed on the same date of arrival. All ten classification files reflected the process was completed within 24 hours of arrival to the facility. The auditor conducted interviews with randomly selected inmates. Staff interviewed reported inmates are screened normally within two – four hours and that the files reflected a follow-up with the inmate was continued periodically. Staff reported if any risk factors were to be detected, the inmate would be referred to the PREA Coordinator for proper follow-up within 7 days of intake.</p> <p>115.41 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System</p> <p>FINDINGS: During the auditor’s tour of the facility, the intake staff and the classification staff showed and explained to the auditor the updated classification intake computer program. The computer records every intake question including all required and pertinent PREA related questions. If the newly booked inmate answers “YES” to any of the PREA questions during the intake screening, the inmate’s classification file gets flagged and the inmate’s information gets sent, via email, directly to the PREA Coordinator for review and follow-up. The computer also shows a time/date stamp which showed all inmate files reviewed were screen within 72 hours of arrival at the facility.</p> <p>115.41 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System</p> <p>INTERVIEWS: Classification Staff, Intake Staff responsible for risk screening: Intake and Medical Staff</p>

FINDINGS:

The auditor review the online classification computer program. The Classification online computer program reflects all of the required elements in the provision. The auditor interviewed Classification and Intake Staff. Staff interviewed confirmed they use the agency's screening tools during intake. Staff interviewed properly referenced the required elements inmates are screened for during the risk screening process.

115.41 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff, Intake Staff responsible for risk screening: Intake and Medical Staff

FINDINGS:

The auditor interviewed Classification and Intake Staff. Staff reported the information is ascertained through inmate interviews, and from information collected through the online classification screening tool, medical screening, and classification file records.

115.41 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System

INTERVIEWS:

PREA Coordinator, PREA Compliance Manager, Classification Staff, Intake Staff responsible for risk screening: Intake and Medical Staff

FINDINGS:

The auditor interviewed Intake Staff. Intake staff interviewed reported they do not have access to the inmate's medical or mental health information. The inmate's medical information is retained and only available to medical staff. Staff reported the treatment modality drives which staff needs the information.

115.41 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System

INTERVIEWS:

PREA Coordinator, PREA Compliance Manager, Classification Staff, Intake Staff responsible for risk screening: Intake and Medical Staff

FINDINGS:

The auditor had a chance to review ten (10) random classification files. Ten of the case files reflected the screening process was completed on the same date of arrival. All ten classification files reflected the process was completed within 24 hours of arrival to the facility.

Staff interviewed reported inmates are screened normally within two – four hours and that the files reflected any positive or “YES” answers during the PREA intake screening were re-interviewed within the required 30 day period.

115.41 (g)

POLICY AND DOCUMENT REVIEW:

K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System

INTERVIEWS:

Transgender Inmate

FINDINGS:

The auditor interviewed a transgender inmate who had asked classification to be placed in Administrative Isolation. The transgender preferred to be placed in Administrative Isolation as his own preference. A review of the transgender classification file revealed the Transgender was seen by both Classification and by the PREA Coordinator after message requests were sent via the inmate. Each time the inmate wrote a message request, the inmate’s classification status was assessed.

115.41 (h)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System

INTERVIEWS:

Random Inmate Interviews

FINDINGS:

Agency policy P-100, P-400, and K-300 address this provision. The auditor conducted a review of the above policy. Per the agency policy inmates may not be disciplined for refusing to answer, or for not disclosing to complete information in response to, questions asked regarding whether the inmate is considered a vulnerable PREA inmate. The auditor conducted random inmate interviews and upon interviewing each inmate, at least five (5) inmates remembered being asked the above questions. No inmate was disciplined for failing to answer any of the above questions.

115.41 (i)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA , Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff

FINDINGS:

Agency policy P-100, P-400, and K-300 address this provision. The auditor conducted a review of the above policy. Per the agency policy, all classification paperwork is considered confidential. The auditor reviewed the Classification Office and saw that all paper classification files are in a locked office. The only people who are given access to the Classification Office

are assigned Classification Staff, Management, and assigned Supervisors. Additionally, all Classification System programs are private and a password must be utilized in order to gain access.

The auditor interviewed the Classification Unit who confirmed that all classification files are deemed confidential and not all staff or employees are given access. Any requested access, even for Supervisors, must be approved by Management.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.42 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, K-300 CLASSIFICATION CRITERIA, Classification Screening Form, Classification Computer System INTERVIEWS: Classification Staff, PREA Compliance Manager FINDINGS: Agency policy P-100, P-400, K-300 address this provision. The auditor conducted a review of random intake forms. The agency intake forms and Classification online system reflect and document the housing assignments. The auditor also interviewed Classification Staff. Staff interviewed reported information secured through the screening process is used to determine the need for additional medical or mental health follow-up, and to make classification decisions based on risk factors.</p> <p>115.42 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System INTERVIEWS: PREA Compliance Manager, Lerdo Watch Commander, Medical and Mental Health Staff, Specialized Staff who supervise inmates in Isolation FINDINGS: Agency policy P-100, P-400, K-300 address this provision. The auditor reviewed random intake forms. The agency intake forms and Classification online system reflect and document the housing assignments. Specialized staff interviewed reported isolation is used as a last resort and staff look for other options, such as housing unit changes. Staff reported the welfare of the inmates is always a high consideration. If any isolation occurs, it does not last more than 7 days before the inmate is reassessed. Medical and Mental Health staff interviews reported that medical and mental health conduct daily visits for any inmates placed in isolation. There were no inmates in isolation (for risk of sexual victimization/who allege to have suffered sexual abuse) at the time of the onsite audit, therefore no inmate was interviewed specific to this provision.</p> <p>115.42 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System INTERVIEWS:</p>

Classification Staff, PREA Compliance Manager

FINDINGS:

Agency policy P-100 and P-400 address this provision. The auditor conducted a review of this policy. The agency policy dictates that when deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, the agency's classification unit shall review each inmate on a case-by-case basis. Classification staff conducts an interview and the transgender's feelings and wishes are utilized in the determination of placement. Additionally, classification strongly considers whether a placement would ensure the inmates health and safety, and whether a placement would present management or security problems.

The auditor conducted a review of the Classification online system. The auditor noted the agency's classification online system is especially helpful for inmates who are at risk for victimization. This ensures they get their follow-up interviews in a timely fashion. At the Lerdo Pre-Trial Facility, they have had two (2) transgender inmates to date. The auditor was able to interview one transgender inmate at the time of the onsite audit. The auditor confirmed she was given the PREA information, and also confirmed she was also asked all relevant questions by classification. The transgender inmate stated her preferences on her own classification preferences were considered during the intake process and that the classification unit was open to her feelings and suggestions.

115.42 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff, PREA Compliance Manager

FINDINGS:

Agency policy P-100 and P-400 address this provision. The auditor conducted a review of the above policy. The agency policy dictates that when deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, the agency's classification unit shall review each inmate on a case-by-case basis. Classification staff conducts an interview and the transgender's feelings and wishes are utilized in the determination of placement. Additionally, classification strongly considers whether a placement would ensure the inmates health and safety, and whether a placement would present management or security problems. The auditor conducted a review of the Classification online system. The auditor noted the agency's classification online system is especially helpful for inmates who are at risk for victimization. This ensures they get their follow-up interviews in a timely fashion. The auditor reviewed one transgender online file and confirmed the transgender inmate is reviewed by classification every 30 days for a housing reassessment.

115.42 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff, PREA Compliance Manager

FINDINGS:

Agency policy P-100 and P-400 address this provision. The auditor conducted a review of the above policy. The agency policy dictates that when deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, the agency's classification unit shall review each inmate on a case-by-case basis. Classification staff conducts an interview and the transgender's feelings and wishes are utilized in the determination of placement. Additionally, classification strongly considers whether a placement would ensure the inmates health and safety, and whether a placement would present management or security problems. The auditor conducted a review of the Classification online system. The auditor noted the agency's classification online system is especially helpful for inmates who are at risk for victimization. This ensures they get their follow-up interviews in a timely fashion. The auditor reviewed one transgender online file and confirmed the transgender inmate is reviewed by classification every 30 days for a housing reassessment.

115.42 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff, PREA Compliance Manager

FINDINGS:

Agency policy P-100 and P-400 address this provision. The auditor interviewed one (1) transgender inmate. The inmate expressed she sent a message request to the PREA Coordinator requesting that female undergarments be given to her instead of male garments. Although, there is no policy in place which requires the facility accommodate her request, the PREA Coordinator approved her request immediately and accommodated her. The PREA Coordinator went out to the transgender inmate's location and spoke with the inmate at length in regards to her preferences. The PREA Coordinator also instructed the facility to accommodate her during weekly laundry exchange for the length of her incarceration. The auditor confirmed the transgender inmate is allowed to shower separate from other inmates. The auditor also noted the showers are designed to allow for single showering only. The facility design allows for inmates to shower one at a time. Staff interviewed reported inmates are only allowed to shower one at a time.

115.42 (g)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff, PREA Compliance Manager

FINDINGS:

Agency policy P-100 and P-400 address this provision. The auditor reviewed Classification Staff. The agency reported there have been no PREA related incidents involving the isolation of any inmate in the past 12 months, therefore there were no case files to review specific to this provision. There were no inmates in isolation (for risk of sexual victimization/who allege to have suffered sexual abuse) at the time of the onsite audit, therefore no inmate was interviewed specific to this provision.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.43 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System</p> <p>INTERVIEWS: Classification Staff, PREA Compliance Manager</p> <p>FINDINGS: Agency policy P-100 and P-400 address this provision. The auditor conducted an interview with Classification Staff who confirmed that inmates at high risk for sexual victimization are not placed in involuntary segregated housing unless an assessment of all available alternatives has been made. The auditor conducted a random classification online each transgender inmate is assessed on a case-by-case basis. Per the agency, the transgender’s wishes regarding classification placement will be considered, and then classification will determine the best route to take with the inmate’s safety in mind.</p> <p>The facility assigns inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation for likely abusers can be arranged. If required, such assignments do not ordinarily exceed a period of 30 days. If the involuntary segregated housing assignment is made, the facility clearly documents the basis for the concern for the inmate’s safety as well as why no alternative means of separation could be arranged. Per the agency policy, this is reassessed by the agency every 30 days.</p> <p>The auditor conducted an online Classification file review of the inmates who were placed in segregated housing in the past 12 months due to high risk for sexual victimization. All incidents were documented by classification in their computer system and an assessment off all available alternatives were made before the decision was made to place them in segregated housing.</p> <p>115.43 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System</p> <p>INTERVIEWS: Classification Staff, PREA Compliance Manager</p> <p>FINDINGS: Agency policy P-100 and P-400 address this provision. The facility assigns inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation for likely abusers can be arranged. If required, such assignments do not ordinarily exceed a period of 30 days. If the involuntary segregated housing assignment is made, the facility clearly documents the basis for the concern for the inmate’s safety as well as why no alternative means of separation could be arranged. Per the agency policy, this is reassessed by the agency every 30 days.</p> <p>The auditor conducted an online Classification file review of the inmates who were placed in</p>

segregated housing in the past 12 months due to high risk for sexual victimization. All incidents were documented by classification in their computer system and an assessment of all available alternatives were made before the decision was made to place them in segregated housing. The auditor noted inmates placed in segregated housing were still given access to programs, privileges, education, and work opportunities to the extent possible.

115.43 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff, PREA Compliance Manager

FINDINGS:

Agency policy P-100 and P-400 address this provision. The facility assigns inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation for likely abusers can be arranged. If required, such assignments do not ordinarily exceed a period of 30 days. If the involuntary segregated housing assignment is made, the facility clearly documents the basis for the concern for the inmate's safety as well as why no alternative means of separation could be arranged. Per the agency policy, this is reassessed by the agency every 30 days.

The auditor conducted an online Classification file review of the inmates who were placed in segregated housing in the past 12 months due to high risk for sexual victimization. All incidents were documented by classification in their computer system and an assessment of all available alternatives were made before the decision was made to place them in segregated housing. The auditor noted inmates placed in segregated housing were still given access to programs, privileges, education, and work opportunities to the extent possible.

115.43 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff, PREA Compliance Manager

FINDINGS:

Agency policy P-100 and P-400 address this provision. The facility assigns inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation for likely abusers can be arranged. If required, such assignments do not ordinarily exceed a period of 30 days. If the involuntary segregated housing assignment is made, the facility clearly documents the basis for the concern for the inmate's safety as well as why no alternative means of separation could be arranged. Per the agency policy, this is reassessed by the agency every 30 days.

The auditor conducted an online Classification file review of the inmates who were placed in segregated housing in the past 12 months due to high risk for sexual victimization. All incidents were documented by classification in their computer system and an assessment of all available alternatives were made before the decision was made to place them in segregated housing. The auditor noted inmates placed in segregated housing were still given

access to programs, privileges, education, and work opportunities to the extent possible.

115.43 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-400 VULNERABLE PREA POPULATION INMATES, Classification Screening Form, Classification Computer System

INTERVIEWS:

Classification Staff, PREA Compliance Manager

FINDINGS:

Agency policy P-100 and P-400 address this provision. The facility assigns inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation for likely abusers can be arranged. If required, such assignments do not ordinarily exceed a period of 30 days. If the involuntary segregated housing assignment is made, the facility clearly documents the basis for the concern for the inmate's safety as well as why no alternative means of separation could be arranged. Per the agency policy, this is reassessed by the agency every 30 days.

The auditor conducted an online Classification file review of the inmates who were placed in segregated housing in the past 12 months due to high risk for sexual victimization. All incidents were documented by classification in their computer system and an assessment of all available alternatives were made before the decision was made to place them in segregated housing. The auditor noted inmates placed in segregated housing were still given access to programs, privileges, education, and work opportunities to the extent possible.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.51 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, Inmate Rules and Regulations handbook, Grievance Form</p> <p>INTERVIEWS: PREA Compliance Manager, Random Sample of Inmates</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): During the tour, the auditor noted PREA Posters (noting he abuse hotline number), phones, and grievance forms are accessible to the inmates in each housing unit and in common areas. The auditor tested the phones to ensure the hotline number worked. The call was answered by a representative.</p> <p>FINDINGS: Agency policy P-100 and P-500 address this provision. Agency policy P-500 titled “Sexual Assault/Abuse- Security Response Plan” is a response plan the agency developed while establishes the roles, responsibilities and actions of security staff first responders should an incident of sexual abuse, assault, harassment, or retaliation occur in one of the agency’s facilities.</p> <p>Random inmate interviews confirmed inmates can utilize the phone in the day room area to contact a third-party crisis center by dialing the confidential PREA designated phone line 0#7777. They can call friends or family outside of the jail who can then report any incidents to staff. They can write a confidential note to the housing unit deputy. They can contact a deputy, medical, or mental health staff who can then report the incident for them. They can write confidentially, and through the mail to report the incident as well.</p> <p>Random staff interviews confirmed the staff was very aware that inmates could report any allegation of sexual abuse or harassment and that staff was required to immediately notify their supervisor of the incident to initiate the investigative process. They also know they must accept all reports coming from third parties, on message requests as well and can report confidentially themselves if they are in a situation where they feel they need to. Random inmate interviews reported they could make a report to staff (supervisor, counselor; family, use the hotline, or their probation officer. Most of the inmates indicated they would go directly to staff.</p>
	<p>115.51 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, PREA Posters</p> <p>INTERVIEWS: PREA Compliance Manager, Random Sample of Staff</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): During the tour, the auditor noted PREA Posters (noting he abuse hotline number), phones, and grievance forms are accessible to the inmates in each housing unit and in common areas. The auditor tested the phones to ensure the hotline number worked. The call was answered</p>

by a representative.

FINDINGS:

Agency policy P-100 and P-500 address this provision. Agency policy P-500 titled "Sexual Assault/Abuse- Security Response Plan" is a response plan the agency developed while establishes the roles, responsibilities and actions of security staff first responders should an incident of sexual abuse, assault, harassment, or retaliation occur in one of the agency's facilities. Agency policy states that inmates are not detained solely for civil immigration purposes. Staff interviewed reported inmates could call a family member, their probation or parole officer, or the hotline if they needed to contact someone outside of the facility. The inmates interviewed reported they were aware they could make reports anonymously.

115.51 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, PREA Posters
INTERVIEWS:

Random Sample of Staff, Random Sample of Inmates

ONSITE REVIEW (TOUR OBSERVATIONS):

During the tour, the auditor noted PREA Posters (noting the abuse hotline number), phones, and grievance forms are accessible to the inmates in each housing unit and in common areas. The auditor tested the phones to ensure the hotline number worked. The call was answered by a representative.

FINDINGS:

Agency policy P-100 and P-500 address this provision. Staff interviewed reported they would accept reports in writing, anonymously, verbally and through third parties, and that any reports received verbally would be documented immediately. Inmates interviewed reported they could make reports anonymously, in writing, verbally, or through a family member, case worker, or probation/parole officer.

115.51 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN

INTERVIEWS:

PREA Compliance Manager

ONSITE REVIEW (TOUR OBSERVATIONS):

During the tour, the auditor noted PREA Posters (noting the abuse hotline number), phones, and grievance forms are accessible to the inmates in each housing unit and in common areas. The auditor tested the phones to ensure the hotline number worked. The call was answered by a representative.

FINDINGS:

Agency policy P-100 and P-500 address this provision. Staff interviewed reported they could report sexual abuse and sexual harassment several different ways. They could report it to their supervisor in writing, anonymously, verbally and through third parties (Internal Affairs), and via email.

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.52 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Compliance Manager FINDINGS: At the time of the onsite audit, there was no policy in place to address administrative procedures to address inmate grievances regarding sexual abuse. Therefore, standard 115.52 does not apply to the agency.</p> <p>115.52 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Compliance Manager FINDINGS: At the time of the onsite audit, there was no policy in place to address administrative procedures to address inmate grievances regarding sexual abuse. Therefore, standard 115.52 does not apply to the agency.</p> <p>115.52 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Compliance Manager FINDINGS: At the time of the onsite audit, there was no policy in place to address administrative procedures to address inmate grievances regarding sexual abuse. Therefore, standard 115.52 does not apply to the agency.</p> <p>115.52 (d) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Compliance Manager FINDINGS: At the time of the onsite audit, there was no policy in place to address administrative procedures to address inmate grievances regarding sexual abuse. Therefore, standard 115.52 does not apply to the agency.</p>

115.52 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN

INTERVIEWS:

PREA Compliance Manager

FINDINGS:

At the time of the onsite audit, there was no policy in place to address administrative procedures to address inmate grievances regarding sexual abuse. Therefore, standard 115.52 does not apply to the agency.

115.52 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN

INTERVIEWS:

PREA Compliance Manager

FINDINGS:

At the time of the onsite audit, there was no policy in place to address administrative procedures to address inmate grievances regarding sexual abuse. Therefore, standard 115.52 does not apply to the agency.

115.52 (g)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN

INTERVIEWS:

PREA Compliance Manager

FINDINGS:

At the time of the onsite audit, there was no policy in place to address administrative procedures to address inmate grievances regarding sexual abuse. Therefore, standard 115.52 does not apply to the agency.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.53 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, Posted Advocacy Information, Inmate Rules and Regulations Handbook</p> <p>INTERVIEWS: PREA Compliance Manager</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): During the tour, the auditor noted the posted PREA posters which included advocacy information for “The Women’s Center.” The information included emotional support and counseling services “The Women’s Center” provides, access for the deaf community and interpretation services for those who speak other languages. The hotline number is posted as well as 24/7 availability by “The Women’s Center.” Victim Advocacy informational brochures are available for the inmates in both English and Spanish.</p> <p>FINDINGS: The agency has an MOU with community service providers (The Women’s Center) that can provide inmates with confidential emotional support services related to sexual abuse. “The Women’s Center” is the rape crisis center in the area. The Inmate Rules and Regulations Handbook informs inmates prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in according to mandatory reporting laws.</p> <p>115.53 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, Posted Advocacy Information</p> <p>INTERVIEWS: PREA Compliance Manager</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): During the tour, the auditor noted the posted PREA posters which included advocacy information for “The Women’s Center.” The information included emotional support and counseling services “The Women’s Center” provides, access for the deaf community and interpretation services for those who speak other languages. The hotline number is posted as well as 24/7 availability by “The Women’s Center.” Victim Advocacy informational brochures are available for the inmates in both English and Spanish.</p> <p>FINDINGS: The agency has an MOU with community service providers (The Women’s Center) that can provide inmates with confidential emotional support services related to sexual abuse. “The Women’s Center” is the rape crisis center in the area. The Inmate Rules and Regulations Handbook informs inmates prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in according to mandatory reporting laws.</p>

115.53 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, Posted Advocacy Information

INTERVIEWS:

PREA Compliance Manager

ONSITE REVIEW (TOUR OBSERVATIONS):

During the tour, the auditor noted the posted PREA posters which included advocacy information for "The Women's Center." The information included emotional support and counseling services "The Women's Center" provides, access for the deaf community and interpretation services for those who speak other languages. The hotline number is posted as well as 24/7 availability by "The Women's Center." Victim Advocacy informational brochures are available for the inmates in both English and Spanish.

FINDINGS:

The Lerdo Pre-Trial Facility provides inmates with access to outside victim advocate support services related to sexual abuse. The inmates can use a pre-designated direct line in the day room area of the jail with no charge. Random inmate interviews confirmed that the facility enables reasonable communication between inmates and with as much confidentiality as possible. The facility does inform inmates prior to allowing them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.

The agency has an MOU with community service providers that can provide inmates with confidential emotional support services related to sexual abuse. The agency has an understanding with "The Women's Center" which is the rape crisis center in the area.

The auditor was provided the Memorandum of Understanding for review.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.54 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, Posted Advocacy Information, Inmate Rules and Regulations Handbook, PREA Brochure</p> <p>INTERVIEWS: PREA Compliance Manager</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): During the tour, the auditor noted the posted PREA posters which included advocacy information for “The Women’s Center.” Victim Advocacy informational brochures are available for the inmates in both English and Spanish.</p> <p>FINDINGS: The agency has an MOU with community service providers that can provide inmates with confidential emotional support services related to sexual abuse. The agency has an understanding with “The Women’s Center” which is the rape crisis center in the area. Third party reports can be received either in writing or verbally or through “The Women’s Center.” The PREA Brochure includes information on “third party reporting” that can help an inmate with the reporting abuse. The brochure explains “third party reporting” can include a facility staff member, counselor, teacher, medical, professional, attorney, probation officer, parole officer, parent, spouse, or family member.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.61 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-200 PREVENTION AND DETECTION OF SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS INTERVIEWS: Random Sample of Staff FINDINGS: Agency Policy P-100, P-200, P-500, and P-600 address this provision. All staff interviewed reported they would immediately report any knowledge, suspicion, or information regarding any allegation of sexual abuse or sexual harassment. Staff also reported they would report any retaliation against staff or inmates who reported an incident or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p>115.61 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-200 PREVENTION AND DETECTION OF SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS INTERVIEWS: Random Sample of Staff FINDINGS: Agency Policy P-100, P-200, P-500, and P-600 address this provision. All staff interviewed reported they are required to comply with the State’s mandatory child abuse reporting laws.</p> <p>115.61 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-200 PREVENTION AND DETECTION OF SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS INTERVIEWS: Random Sample of Staff FINDINGS: Agency Policy P-100, P-200, P-500, and P-600 address this provision. All staff interviewed reported they would make the initial report to their supervisor, write the incident report, and thereafter wait for further instructions for their supervisor. Staff reported they would not disclose any information regarding the incident and would follow policy regarding confidentiality.</p> <p>115.61 (d)</p>

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-200 PREVENTION AND DETECTION OF SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

Medical and Mental Health Staff

FINDINGS:

Agency Policy P-100, P-200, P-500, and P-600 address this provision. Agency policy dictates that they do not accept nor house inmates under the age of eighteen (18), therefore this provision does not apply to this agency.

115.61 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-200 PREVENTION AND DETECTION OF SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, P-600 PREA CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

Random Sample of Staff

FINDINGS:

Agency Policy P-100, P-200, P-500, and P-600 address this provision. The auditor interviewed random staff for this standard. All staff interviewed reported they would make the initial report to their supervisor, write the incident report, and thereafter wait for further instructions for their supervisor. Staff reported they would not disclose any information regarding the incident and would follow policy regarding confidentiality.

115.62 (a)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN

INTERVIEWS:

Detentions and Corrections Division Commander, Lerdo Facility Watch Commander, Random Sample of Staff

FINDINGS:

Agency Policy P-100, and P-500 address this provision. The auditor interviewed random staff for this standard. Staff interviewed reported immediate action would be taken if staff were to become aware of any inmate being at substantial risk of imminent sexual abuse. Staff reported any allegation would be taken seriously and due diligence would be followed to ensure staff responded to inmates immediately. Management staff reported the key is creating a safe culture. Randomly selected staff reported in detail the immediate steps they would take to respond to any allegation of an inmate reporting they are at a substantial risk of imminent sexual abuse.

115.62	Agency protection duties
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>115.63 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Coordinator FINDINGS: Agency Policy P-100, P-450, and P-500 address this provision. The auditor interviewed the PREA Coordinator for this provision. During the auditor’s interview with the PREA Coordinator, the auditor confirmed that upon receiving an allegation to which an inmate was sexually abused while confined at another facility, the head of the facility (Watch Commander) that received the allegation from his staff, will notify the supervisor of the agency where the alleged abuse occurred. Per agency policy, this is mandated to occur within 72 hours of being notified of the allegation. The agency shall document the report, and document that it has provided such notification.</p> <p>115.63 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Coordinator FINDINGS: Agency Policy P-100, P-450, and P-500 address this provision. The auditor interviewed the PREA Coordinator for this provision. During the auditor’s interview with the PREA Coordinator, the auditor confirmed that upon receiving an allegation to which an inmate was sexually abused while confined at another facility, the head of the facility (Watch Commander) that received the allegation from his staff, will notify the supervisor of the agency where the alleged abuse occurred. Per agency policy, this is mandated to occur within 72 hours of being notified of the allegation. The agency shall document the report, and document that it has provided such notification.</p> <p>115.63 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Coordinator, Lerdo Facility Watch Commander FINDINGS: Agency Policy P-100, P-450, and P-500 address this provision. The auditor interviewed the</p>	

PREA Coordinator for this provision. During the auditor's interview with the PREA Coordinator, the auditor confirmed that upon receiving an allegation to which an inmate was sexually abused while confined at another facility, the head of the facility (Watch Commander) that received the allegation from his staff, will notify the supervisor of the agency where the alleged abuse occurred. Per agency policy, this is mandated to occur within 72 hours of being notified of the allegation. The agency shall document the report, and document that it has provided such notification.

115.63 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN

INTERVIEWS:

PREA Coordinator, Lerdo Facility Watch Commander

FINDINGS:

Agency Policy P-100, P-450, and P-500 address this provision. The auditor interviewed the PREA Coordinator for this provision. During the auditor's interview with the PREA Coordinator, the auditor confirmed that upon receiving an allegation to which an inmate was sexually abused while confined at another facility, the head of the facility (Watch Commander) that received the allegation from his staff, will notify the supervisor of the agency where the alleged abuse occurred. Per agency policy, this is mandated to occur within 72 hours of being notified of the allegation. The agency shall document the report, and document that it has provided such notification. Staff interviewed reported they would initiate an investigation just like any other. They would make a request for cooperation form the other facility.

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.63 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Coordinator FINDINGS: Agency Policy P-100, P-450, and P-500 address this provision. The auditor interviewed the PREA Coordinator for this provision. During the auditor’s interview with the PREA Coordinator, the auditor confirmed that upon receiving an allegation to which an inmate was sexually abused while confined at another facility, the head of the facility (Watch Commander) that received the allegation from his staff, will notify the supervisor of the agency where the alleged abuse occurred. Per agency policy, this is mandated to occur within 72 hours of being notified of the allegation. The agency shall document the report, and document that it has provided such notification.</p> <p>115.63 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Coordinator FINDINGS: Agency Policy P-100, P-450, and P-500 address this provision. The auditor interviewed the PREA Coordinator for this provision. During the auditor’s interview with the PREA Coordinator, the auditor confirmed that upon receiving an allegation to which an inmate was sexually abused while confined at another facility, the head of the facility (Watch Commander) that received the allegation from his staff, will notify the supervisor of the agency where the alleged abuse occurred. Per agency policy, this is mandated to occur within 72 hours of being notified of the allegation. The agency shall document the report, and document that it has provided such notification.</p> <p>115.63 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN INTERVIEWS: PREA Coordinator, Lerdo Facility Watch Commander FINDINGS: Agency Policy P-100, P-450, and P-500 address this provision. The auditor interviewed the</p>

PREA Coordinator for this provision. During the auditor's interview with the PREA Coordinator, the auditor confirmed that upon receiving an allegation to which an inmate was sexually abused while confined at another facility, the head of the facility (Watch Commander) that received the allegation from his staff, will notify the supervisor of the agency where the alleged abuse occurred. Per agency policy, this is mandated to occur within 72 hours of being notified of the allegation. The agency shall document the report, and document that it has provided such notification.

115.63 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN

INTERVIEWS:

PREA Coordinator, Lerdo Facility Watch Commander

FINDINGS:

Agency Policy P-100, P-450, and P-500 address this provision. The auditor interviewed the PREA Coordinator for this provision. During the auditor's interview with the PREA Coordinator, the auditor confirmed that upon receiving an allegation to which an inmate was sexually abused while confined at another facility, the head of the facility (Watch Commander) that received the allegation from his staff, will notify the supervisor of the agency where the alleged abuse occurred. Per agency policy, this is mandated to occur within 72 hours of being notified of the allegation. The agency shall document the report, and document that it has provided such notification. Staff interviewed reported they would initiate an investigation just like any other. They would make a request for cooperation form the other facility.

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.64 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN</p> <p>INTERVIEWS: Random Security Staff First Responders</p> <p>FINDINGS: Agency Policy P-100, P-450, and P-500 address this provision. Agency policy P-450 "Reporting Sexual Abuse" states upon learning an allegation that an inmate was sexually abused, the first security staff member to respond to the report is required to-</p> <ul style="list-style-type: none"> • Separate the alleged victim and abuser • Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence • Request that the alleged victim not take any actions that could destroy physical evidence, including, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a period that still allows for the collection of physical evidence. • Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a period that still allows or the collection of physical evidence. <p>Per the agency PREA policy (P-100), the first responding staff member is required to request that the alleged victim not take any actions that could destroy physical evidence, and then they are to immediately notify a supervisor so the investigation can be initiated.</p> <p>The auditor conducted a review of the above policies in their entirety. The auditor noted the PREA Coordinator made "PREA Quick Reference Guides" that were small enough to fit in every staff member's uniform pocket. They were laminated, and given to all jail staff members to utilize should there be a PREA incident. This ensured all staff could quickly reference the applicable PREA first responder duties should an emergency of that nature arise.</p> <p>A review of the policy outlines in detail the steps staff are to follow when responding to an allegation. The agency protocol, which meets the standard requirements, was followed.</p> <p>115.64 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN</p> <p>INTERVIEWS: Random Security Staff First Responders, PREA Coordinator, Inmate who reported sexual abuse</p> <p>FINDINGS: Agency Policy P-100, P-450, and P-500 address this provision. The auditor reviewed a report of sexual abuse- inmate versus inmate. There was no forensic evidence available. Staff interviewed reported that all investigative policies were followed. Because there was no forensic evidence available, the first responder did not ask that the victim take any actions that</p>

could destroy physical evidence as it was not required.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.65 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE, P-500 SEXUAL ASSAULT/ABUSE SECURITY PLAN, P-550 VICTIM SERVICES RESPONSE PLAN</p> <p>INTERVIEWS: PREA Coordinator</p> <p>FINDINGS: Agency Policy P-100, P-450, and P-500, and P-550 address this provision. The auditor reviewed a report of sexual abuse- inmate versus inmate. A review of policy P-100 outlines in detail the steps staff are to follow when responding to an allegation. This included the response by security/supervisory/management staff, medical, law enforcement, and The Women’s Center. The document clearly outlines the institutional plan to coordinate actions taken in response to an incident. Staff interviewed reiterated the protocols outlined in the agency’s institutional plan.</p> <p>The agency has a written policy P-550 “Victim Services Response Plan” which outlines a plan to coordinate actions among staff members, medical and mental health practitioners, Detectives and facility leadership taken in response to an incident of sexual abuse.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion
	<p>115.66 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT</p> <p>INTERVIEWS: PREA Coordinator</p> <p>FINDINGS: Agency Policy P-100 address this provision. The auditor reviewed the above policy for this provision. A review of policy P-100 outlines that the agency and any other governmental entities responsible for collective bargaining on the agency’s behalf are prohibited from entering into or renewing any collective bargaining agreement or other agreement that limits the agency’s ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation. All contracts must abide by all Federal PREA laws.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.67 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT</p> <p>INTERVIEWS: PREA Coordinator, Random Staff</p> <p>FINDINGS: Agency Policy P-100 address this provision. The auditor interviewed the PREA Coordinator and Random Staff for this provision. Staff reported when an investigation is initiated, the individual making the report is told what the expected process will be and if anyone threatens or otherwise makes them feel uncomfortable, they are provided with the same name of the person to notify. Staff and inmates are informed in the Inmate Rules and Regulations Handbook as well as in the PREA Brochure that any retaliation will be taken seriously and acted upon. Staff reported the process followed and strategies used when monitoring for potential retaliation against both inmates and staff. Staff advised The Women’s Center is offered as a resource for emotional support. In the allegation of inmate versus inmate sexual assault, the PREA Coordinator and Lieutenant of the Compliance Unit is tasked with monitoring possible retaliation. Both monitored the victim as well as the suspected suspects for ninety (90) days. Each were separated from one another and moved to different location throughout the facility. They were all classified as “keep separates” to prevent any type of retaliation from occurring. There was no retaliation related to the staff who reported the allegation.</p> <p>115.67 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT</p> <p>INTERVIEWS: PREA Coordinator, Random Staff</p> <p>FINDINGS: Agency Policy P-100 address this provision. The auditor interviewed the PREA Coordinator and Random Staff for this provision. Staff reported when an investigation is initiated, the individual making the report is told what the expected process will be and if anyone threatens or otherwise makes them feel uncomfortable, they are provided with the same name of the person to notify. Staff and inmates are informed in the Inmate Rules and Regulations Handbook as well as in the PREA Brochure that any retaliation will be taken seriously and acted upon. Staff reported the process followed and strategies used when monitoring for potential retaliation against both inmates and staff. Staff advised The Women’s Center is offered as a resource for emotional support. In the allegation of inmate versus inmate sexual assault, the PREA Coordinator and Lieutenant of the Compliance Unit is tasked with monitoring possible retaliation. Both monitored the victim as well as the suspected suspects for ninety (90) days. Each were separated from one another and moved to different locations throughout the facility. They were all classified as “keep separates” to prevent any type of</p>

retaliation from occurring. There was no retaliation related to the staff who reported the allegation.

115.67 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT

INTERVIEWS:

PREA Coordinator, Random Staff

FINDINGS:

Agency Policy P-100 address this provision. The auditor interviewed the PREA Coordinator and Random Staff for this provision. Staff reported when an investigation is initiated, the individual making the report is told what the expected process will be and if anyone threatens or otherwise makes them feel uncomfortable, they are provided with the same name of the person to notify. Staff and inmates are informed in the Inmate Rules and Regulations Handbook as well as in the PREA Brochure that any retaliation will be taken seriously and acted upon. Staff reported the process followed and strategies used when monitoring for potential retaliation against both inmates and staff. Staff advised The Women's Center is offered as a resource for emotional support. In the allegation of inmate versus inmate sexual assault, the PREA Coordinator and Lieutenant of the Compliance Unit is tasked with monitoring possible retaliation. Both monitored the victim as well as the suspected suspects for ninety (90) days. Each were separated from one another and moved to different locations throughout the facility. They were all classified as "keep separates" to prevent any type of retaliation from occurring. There was no retaliation related to the staff who reported the allegation.

115.67 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT

INTERVIEWS:

PREA Coordinator, Random Staff

FINDINGS:

Agency Policy P-100 address this provision. The auditor reviewed all sexual abuse reports. In the allegation involving inmate versus inmate sexual abuse, the PREA Coordinator was delegated with monitoring retaliation. The auditor interviewed random staff members. Staff interviewed discussed in detail the type of periodic status checks they conduct when monitoring for retaliation against inmates. Per the agency policy, the first initial check for retaliation MUST be conducted within 14 days. There is an online form utilized by the agency called, "PREA Victim Monitoring." This is where the monitoring is recorded for future monitoring purposes, as well as documentation purposes.

115.67 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT

INTERVIEWS:

Detentions and Corrections Commander

FINDINGS:

Agency Policy P-100 address this provision. The auditor interviewed random staff members. Staff interviewed reported any type of retaliation is treated seriously and any allegations made would be reviewed and investigated. If an allegation were to be found true, the appropriate necessary actions would be taken.

115.67 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT

FINDINGS:

Agency Policy P-100 address this provision. The auditor reviewed the above applicable policy. The agency policy states if the agency determines that the allegation is unfounded, the agency no longer has an obligation to monitor the victim and suspects for retaliation.

115.67 (g)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-450 REPORTING SEXUAL ABUSE

FINDINGS:

Agency Policy P-450 address this provision. The auditor reviewed the above applicable policy. The agency policy states if the agency determines that the allegation is unfounded, the agency no longer has an obligation to monitor the victim and suspects for retaliation.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.68 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-450 REPORTING SEXUAL ABUSE</p> <p>INTERVIEWS: PREA Coordinator, Staff who supervise inmates in Isolation, Medical and Mental Health Staff. At the time of the onsite audit, there were no inmates in isolation (for risk of sexual victimization/who alleged to have suffered sexual abuse), therefore no inmate was interviewed specific to this provision.</p> <p>ONSITE REVIEW (TOUR OBSERVATIONS): During the tour, there was no indication that isolation is used on a regular basis.</p> <p>FINDINGS: Agency Policy P-100, and P-450 address this provision. The auditor interviewed random staff members. Staff interviewed reported protective isolation would be used only as a true last resort and efforts would continue to find alternatives during isolation. If any isolation occurs, it does not last more than 72 hours, without a reassessment. Staff confirmed medical and mental health staff conduct daily visits for any inmate in isolation. Additionally, agency policy requires the PREA Coordinator to conduct a review of the inmate’s continued isolation if the isolation exceeds 14 days and every subsequent 3-4 days thereafter.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.71 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS INTERVIEWS: PREA Coordinator, Investigative Staff FINDINGS: Agency Policy P-100, and P-600 address this provision. The auditor conducted a review of the above policies. The agency conducts its own investigations into allegations of sexual abuse and sexual harassment. The auditor conducted a review of all PREA reports for 2017. One PREA incident was reported 2/19/2018. A spot check of the report showed a primary investigation was conducted on 2/19/2018 and the report was written right away. This was an inmate versus inmate sexual assault which allegedly occurred in custody. The on-call detective was notified of the incident via the Correctional Sergeant on 02/19/2018 but stated it did not initiate a “weekend callout” and that investigative Staff would respond the next day. However, detectives did not actually come out to the facility and interview neither the victim nor the suspect until 04/05/2018, almost two months later.</p> <p>Due to the lack of properly reporting or investigating PREA incidents, they do not meet standard 115.71 (a) - When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? A corrective action will be needed for this standard. The auditor’s proposed correction plan is to require the agency to review the PREA reporting policy with their staff and Detectives to ensure they are aware of the immediate timelines required by PREA law. Additionally, the auditor will return to the jail in 180 days to conduct another “spot check” of all 2018 PREA reports to ensure they have been written and referred to investigations in a timely fashion.</p> <p>The auditor discussed the corrective action plan with the Detentions and Corrections Commander, the Compliance Unit Lieutenant, and the agency PREA Coordinator. They agreed this was a reasonable plan of correction.</p> <p>The PREA Coordinator and the Compliance Unit Lieutenant sat down and had a meeting with Investigations and Internal Affairs in July of 2018. Policy P-500 Sexual Assault/ Abuse Security Response Plan was revised to add specifications to the requirements of investigations to review PREA reports and conduct follow-ups in a timely fashion.</p> <p>The Auditor asked to review all PREA related incidents/reports. There were 89 incidents reported for Kern County Detention Facilities in 2018. Specifically regarding the Pre-Trial facility, there were 20 reportable incidents in 2018. The Auditor reviewed all reports again to ensure they were completed, and then reviewed the additional supplemental reports from 2018 to ensure the investigations were conducted in a timely fashion. The PREA Coordinator implemented a new spreadsheet with all reported incidents, report numbers, victim information, etc. The Auditor was provided a copy of the spreadsheet which showed all</p>

incidents/reports were being tracked for completion. The Auditor reviewed all (new and old) reports from the Pre-Trial facility. All reports since the on-site Audit were written within 72 hours of the incident occurring. All PREA incident reviews were completed within 30 days of the incident being reported.

One example of a report which was reviewed was a white male adult who alleged a sexual assault in May 15, 2018. The male reported he was sexually assaulted by his cellmate in March 2018. The inmate reported he was groped by the suspect while they were in the cell together. He was offered medical and an advocate, but the inmate refused. Initial victim statements were taken. No evidence was collected due to the timeframe. Deputies conducted an investigation and were able to identify a suspect. The suspect was out of custody so the report was written for informational purposes only. The report was written within 72 hours of the incident being reported.

Another example of a report reviewed was a white female adult who called the anonymous hotline number from her Housing Unit pod to report an inmate versus inmate sexual assault September 5, 2018. The female reported she was raped. The hotline reported it to Pre-Trial who then located the victim and separated the victim and suspect. Deputies interviewed the victim and she stated she was molested in her sleep. During the interview, it was determined that the victim suffers from mental health issues. The victim was referred to mental health for a follow-up and was placed in a cell by herself for two weeks to see if the "molestation" continued. Additionally, the Deputies (for the victim's safety) placed keep separates between the cellmates just to be safe. Two weeks later, while the victim was in a cell by herself, she claimed to have been molested and sexually penetrated again. The victim claimed that every night she was drugged and sexually assaulted. The victim was in a cell that had a brand new locking mechanism and a "tamper-proof" alarm device on the lock. If the door was manipulated or opened in any way, the alarm would sound and alert Deputies. The night the allegation was made again, the door alarm was confirmed to not have been activated. The Deputies still documented the incident immediately by writing a supplemental to the original PREA report.

Another report reviewed was a Hispanic female adult who notified correctional behavioral health she was touched on her breast and buttocks inappropriately by another inmate in June 1, 2018. Behavioral health reported the incidents to Deputies who conducted the investigation. The victim was a LGBTI female and was hugged by another inmate who then touched her inappropriately. Deputies offered her medical and an advocate. The victim asked for an advocate to be present during the interview. The Deputies consulted with the sexual assault unit but completed the investigation with an advocate present.

The facility's new tracking spreadsheet for all PREA reports helps to monitor staff and keep the reports from not being written, completed, and/or investigated in a timely fashion. Staff have been appropriately training on the importance of completing PREA reports on time and have implemented all new procedures. The practice has been fully institutionalized. The Auditor concluded that the Agency has implemented enough policy revisions to remedy the deficiencies stated in the Corrective Action. The Pre-Trial facility, as well as the methods of reporting and investigating PREA incidents at the facility, are now on track and within PREA standard guidelines.

115.71 (b)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

PREA Coordinator, Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor interviewed Investigative Staff. The agency uses Detectives from the Kern County Sheriff's Office Sexual Assault and Abuse Investigations Unit (SAAIU) unit. The Detectives have all received specialized training in sexual abuse investigations. The auditor conducted an interview with one of the detectives for the agency. The Investigations Sergeant confirmed the Detectives gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. They also interview all alleged victims, suspected perpetrators, and witnesses. They also review prior reports and complaints of sexual abuse involving the suspected perpetrator.

When the Detectives believe the quality of evidence appears to support criminal prosecution, the agency conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

The agency assesses the credibility of an alleged victim suspect, or witness on an individual basis and not based on that individual's status as inmate or staff. The agency investigates all allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition of proceeding.

115.71 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

PREA Coordinator, Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor interviewed Investigative Staff. The agency uses Detectives from the Kern County Sheriff's Office Sexual Assault and Abuse Investigations Unit (SAAIU) unit. The Detectives have all received specialized training in sexual abuse investigations. The auditor conducted an interview with one of the detectives for the agency. The Investigations Sergeant confirmed the Detectives gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. They also interview all alleged victims, suspected perpetrators, and witnesses. They also review prior reports and complaints of sexual abuse involving the suspected perpetrator.

115.71 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

PREA Coordinator, Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor interviewed Investigative Staff. The agency uses Detectives from the Kern County Sheriff's Office Sexual Assault and Abuse Investigations Unit (SAAIU) unit. The Detectives have all received specialized training in sexual abuse investigations. The auditor conducted an interview with one of the detectives for the agency. The Investigations Sergeant confirmed the Detectives gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. They also interview all alleged victims, suspected perpetrators, and witnesses. They also review prior reports and complaints of sexual abuse involving the suspected perpetrator.

When the Detectives believe the quality of evidence appears to support criminal prosecution, the agency conducts compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

115.71 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS INTERVIEWS:

PREA Coordinator, Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor interviewed Investigative Staff. The agency uses Detectives from the Kern County Sheriff's Office Sexual Assault and Abuse Investigations Unit (SAAIU) unit. The Detectives have all received specialized training in sexual abuse investigations. The auditor conducted an interview with one of the detectives for the agency. The Investigations Sergeant confirmed the Detectives gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data. They also interview all alleged victims, suspected perpetrators, and witnesses. They also review prior reports and complaints of sexual abuse involving the suspected perpetrator.

The agency assesses the credibility of an alleged victim suspect, or witness on an individual basis and not based on that individual's status as inmate or staff. The agency investigates all allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition of proceeding.

A review of the investigative files reflected law enforcement becomes involved when there is a potential for criminal charges being filed. Staff interviewed reported law enforcement becomes involved when there is an indication the case is prosecutable. Staff reported law enforcement would then refer the case for prosecutorial review.

115.71 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS INTERVIEWS:

PREA Coordinator, Compliance Unit Lieutenant, Internal Affairs Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor interviewed Investigative Staff and Internal Affairs Staff. Staff interviewed reported all information would be considered, documented, and assessed as a part of the investigation. Staff also reported a polygraph is

not a part of the investigative process.

115.71 (g)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

PREA Coordinator, Compliance Unit Lieutenant, Internal Affairs Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor interviewed Investigative Staff and Internal Affairs Staff. Staff interviewed reported all information would be considered, documented, and assessed as a part of the investigation. Staff also reported a polygraph is not a part of the investigative process.

115.71 (h)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

PREA Coordinator, Compliance Unit Lieutenant, Internal Affairs Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor interviewed Investigative Staff and Internal Affairs Staff. The agency will not conduct any compelled interviews until after all criminal proceedings are complete, or the District Attorney has declined to file the complaint. The auditor reviewed an investigative file. A review of the investigative files reflected there had been several reports where the victim declined prosecution. Without the permission of the victim, the district attorney declined prosecution. The incident review process, which address this provision, was completed.

115.71 (i)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS

INTERVIEWS:

PREA Coordinator, Compliance Unit Lieutenant, Internal Affairs Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor reviewed the above applicable policies. Additionally, the agency is required per their PREA policy to retain all written reports for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. The agency ensures that the departure of an alleged abuser or victim from the employment or control of the facility or agency does not provide a basis for terminating an investigation. The auditor reviewed the PREA Coordinator's files. The PREA Coordinator holds all such reports in the Compliance Unit office in a locked file cabinet. The Compliance Unit Office is a building which is separate from all of the jail facilities but is still on the Kern County Sheriff's Office property.

115.71 (j)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS INTERVIEWS:

PREA Coordinator, Compliance Unit Lieutenant, Internal Affairs Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor reviewed the above applicable policies. Additionally, the agency is required per their PREA policy to retain all written reports for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. The auditor reviewed investigative files.

115.71 (k)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS INTERVIEWS:

PREA Coordinator, Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor reviewed Investigative Staff. Staff interviewed reported an investigation would continue regardless of whether the alleged abuser or alleged victim left the facility.

115.71 (l)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor reviewed the above applicable files. The agency is not required to respond to this provision. An outside agency does not conduct administrative or criminal sexual abuse investigations.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.72 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Investigative Files INTERVIEWS: Investigative Staff FINDINGS: Agency Policy P-100, and P-600 address this provision. The auditor interviewed Investigative Staff and reviewed investigative files. A review of the investigative files indicated the proper standard was used in determining that the allegations were founded/substantiated. Staff reported the standard of evidence used to substantiate allegations is the preponderance of the evidence.</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.73 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Investigative Files</p> <p>INTERVIEWS: PREA Coordinator, Investigative Staff</p> <p>FINDINGS: Agency Policy P-100, and P-600 address this provision. The auditor spoke with the investigations detective, and discussed possible case outcomes. Following an investigation into an inmate’s allegation that he or she suffered sexual abuse in an agency facility, the agency informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. This provision requires notification for both sexual abuse and sexual harassment investigations.</p> <p>A review of investigative files reflected the agency reported 18 incidents falling under PREA in 2017 at the Lerdo facility. The agency documents all such notifications or attempted notifications via memo format to the inmate. This is in accordance with their current PREA investigation policy.</p> <p>Below is a brief synopsis:</p> <p>Nonconsensual Sexual Acts-</p> <ul style="list-style-type: none"> • 2 unsubstantiated reports of nonconsensual sexual acts. The victims reported these incidents several months or years after the incident was alleged to have occurred. Due to this delay, there was no evidence that could be collected and used to substantiate their allegation • 4 unfounded reports of nonconsensual sexual acts. In all four reported incidents, video and evidence and witness testimony proved that these allegations never occurred and that the victims were manipulating their housing assignments over debts owed. • 2 unfounded reports of sexual assaults by staff. In the first reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while in an observation cell. Video surveillance of the incident revealed the allegation made never occurred. In the second reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while they were receiving medical treatment at a hospital. Contact was determined to have been incidental while controlling a combative inmate. <p>Abusive sexual Contact- Inmates claimed to have been touched by another inmate</p> <ul style="list-style-type: none"> • 1 substantiated report of abusive sexual contact. The reporting inmate claimed to have been inappropriately touched by another inmate. The suspect admitted that they in fact did touch the victim. The suspect was monitored for further incidents and referred for mental health services. • 2 unsubstantiated reports of abusive sexual contact. In both reported incidents, the only available evidence was witness interviews and statements from victims and suspects. Due to the conflicting statements, the investigators could not prove or disprove these two reported allegations of inappropriate touching. • 1 unfounded report of abusive sexual contact. The reporting inmate claimed to have been

abused in custody in 2012. Investigation of the allegation included a review of housing records for previous bookings which were able to disprove the allegation. Further, the reporting inmate made it clear that they would only cooperate with investigators if released from custody. Sexual Harassment- Inmates stated that they were told to perform a sexual act or subjected to view an unclothed inmate

- 3 unsubstantiated reports of sexual harassment. One reporting inmate claimed to have been harassed however; witness testimony showed they were actually the aggressor. The reporting inmate in the second incident made the allegation to manipulate their housing, due to being housed in the same unit as an acquaintance in a current case. In the third incident, the reporting inmate's allegation was unsubstantiated due to lack of corroborating evidence and witness statements.

- 3 unfounded reports of sexual harassment. The reporting inmates in all three cases claimed to have been harassed, but investigation revealed no evidence to support the allegations. It was determined that the allegations were made to manipulate a housing change.

115.73 (b)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Investigative Files

INTERVIEWS:

PREA Coordinator, Investigative Staff

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor interviewed the PREA Coordinator. The agency reported there had been no investigations completed by an outside agency in the past twelve (12) months.

115.73 (c)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Investigative Files

INTERVIEWS:

At the time of the onsite audit, there were no inmates in custody who reported a sexual abuse involving staff while at the facility. Therefore, no inmate was interviewed specific to this provision.

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor reviewed PREA investigative files. A review of investigative files revealed-

Nonconsensual Sexual Acts-

- 2 unsubstantiated reports of nonconsensual sexual acts. The victims reported these incidents several months or years after the incident was alleged to have occurred. Due to this delay, there was no evidence that could be collected and used to substantiate their allegation

- 4 unfounded reports of nonconsensual sexual acts. In all four reported incidents, video and evidence and witness testimony proved that these allegations never occurred and that the victims were manipulating their housing assignments over debts owed.

- 2 unfounded reports of sexual assaults by staff. In the first reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain

control of the inmate while in an observation cell. Video surveillance of the incident revealed the allegation made never occurred. In the second reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while they were receiving medical treatment at a hospital. Contact was determined to have been incidental while controlling a combative inmate.

Abusive sexual Contact- Inmates claimed to have been touched by another inmate

- 1 substantiated report of abusive sexual contact. The reporting inmate claimed to have been inappropriately touched by another inmate. The suspect admitted that they in fact did touch the victim. The suspect was monitored for further incidents and referred for mental health services.

- 2 unsubstantiated reports of abusive sexual contact. In both reported incidents, the only available evidence was witness interviews and statements from victims and suspects. Due to the conflicting statements, the investigators could not prove or disprove these two reported allegations of inappropriate touching.

- 1 unfounded report of abusive sexual contact. The reporting inmate claimed to have been abused in custody in 2012. Investigation of the allegation included a review of housing records for previous bookings which were able to disprove the allegation. Further, the reporting inmate made it clear that they would only cooperate with investigators if released from custody.

Sexual Harassment- Inmates stated that they were told to perform a sexual act or subjected to view an unclothed inmate

- 3 unsubstantiated reports of sexual harassment. One reporting inmate claimed to have been harassed however; witness testimony showed they were actually the aggressor. The reporting inmate in the second incident made the allegation to manipulate their housing, due to being housed in the same unit as an acquaintance in a current case. In the third incident, the reporting inmate's allegation was unsubstantiated due to lack of corroborating evidence and witness statements.

- 3 unfounded reports of sexual harassment. The reporting inmates in all three cases claimed to have been harassed, but investigation revealed no evidence to support the allegations. It was determined that the allegations were made to manipulate a housing change.

115.73 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Investigative Files

INTERVIEWS:

At the time of the onsite audit, there were no inmates who reported a sexual abuse involving staff currently in custody at the facility. Therefore, no inmate was interviewed specific to this provision.

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor completed a review of investigative files. A review of investigative files revealed the following-

Nonconsensual Sexual Acts-

- 2 unsubstantiated reports of nonconsensual sexual acts. The victims reported these incidents several months or years after the incident was alleged to have occurred. Due to this delay, there was no evidence that could be collected and used to substantiate their allegation

- 4 unfounded reports of nonconsensual sexual acts. In all four reported incidents, video and evidence and witness testimony proved that these allegations never occurred and that the

victims were manipulating their housing assignments over debts owed.

- 2 unfounded reports of sexual assaults by staff. In the first reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while in an observation cell. Video surveillance of the incident revealed the allegation made never occurred. In the second reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while they were receiving medical treatment at a hospital. Contact was determined to have been incidental while controlling a combative inmate.

Abusive sexual Contact- Inmates claimed to have been touched by another inmate

- 1 substantiated report of abusive sexual contact. The reporting inmate claimed to have been inappropriately touched by another inmate. The suspect admitted that they in fact did touch the victim. The suspect was monitored for further incidents and referred for mental health services.

- 2 unsubstantiated reports of abusive sexual contact. In both reported incidents, the only available evidence was witness interviews and statements from victims and suspects. Due to the conflicting statements, the investigators could not prove or disprove these two reported allegations of inappropriate touching.

- 1 unfounded report of abusive sexual contact. The reporting inmate claimed to have been abused in custody in 2012. Investigation of the allegation included a review of housing records for previous bookings which were able to disprove the allegation. Further, the reporting inmate made it clear that they would only cooperate with investigators if released from custody.

Sexual Harassment- Inmates stated that they were told to perform a sexual act or subjected to view an unclothed inmate

- 3 unsubstantiated reports of sexual harassment. One reporting inmate claimed to have been harassed however; witness testimony showed they were actually the aggressor. The reporting inmate in the second incident made the allegation to manipulate their housing, due to being housed in the same unit as an acquaintance in a current case. In the third incident, the reporting inmate's allegation was unsubstantiated due to lack of corroborating evidence and witness statements.

- 3 unfounded reports of sexual harassment. The reporting inmates in all three cases claimed to have been harassed, but investigation revealed no evidence to support the allegations. It was determined that the allegations were made to manipulate a housing change.

115.73 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Investigative Files

INTERVIEWS:

At the time of the onsite audit, there were no inmates still in custody who reported a sexual abuse involving staff. Therefore, no inmate was interviewed specific to this provision.

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor completed a review of investigative files. A review of investigative files revealed-

Nonconsensual Sexual Acts-

- 2 unsubstantiated reports of nonconsensual sexual acts. The victims reported these incidents several months or years after the incident was alleged to have occurred. Due to this delay, there was no evidence that could be collected and used to substantiate their allegation

- 4 unfounded reports of nonconsensual sexual acts. In all four reported incidents, video and evidence and witness testimony proved that these allegations never occurred and that the victims were manipulating their housing assignments over debts owed.
- 2 unfounded reports of sexual assaults by staff. In the first reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while in an observation cell. Video surveillance of the incident revealed the allegation made never occurred. In the second reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while they were receiving medical treatment at a hospital. Contact was determined to have been incidental while controlling a combative inmate.

Abusive sexual Contact- Inmates claimed to have been touched by another inmate

- 1 substantiated report of abusive sexual contact. The reporting inmate claimed to have been inappropriately touched by another inmate. The suspect admitted that they in fact did touch the victim. The suspect was monitored for further incidents and referred for mental health services.

- 2 unsubstantiated reports of abusive sexual contact. In both reported incidents, the only available evidence was witness interviews and statements from victims and suspects. Due to the conflicting statements, the investigators could not prove or disprove these two reported allegations of inappropriate touching.

- 1 unfounded report of abusive sexual contact. The reporting inmate claimed to have been abused in custody in 2012. Investigation of the allegation included a review of housing records for previous bookings which were able to disprove the allegation. Further, the reporting inmate made it clear that they would only cooperate with investigators if released from custody.

Sexual Harassment- Inmates stated that they were told to perform a sexual act or subjected to view an unclothed inmate

- 3 unsubstantiated reports of sexual harassment. One reporting inmate claimed to have been harassed however; witness testimony showed they were actually the aggressor. The reporting inmate in the second incident made the allegation to manipulate their housing, due to being housed in the same unit as an acquaintance in a current case. In the third incident, the reporting inmate's allegation was unsubstantiated due to lack of corroborating evidence and witness statements.

- 3 unfounded reports of sexual harassment. The reporting inmates in all three cases claimed to have been harassed, but investigation revealed no evidence to support the allegations. It was determined that the allegations were made to manipulate a housing change.

115.73 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-600 PREA- CRIMINAL AND ADMINISTRATIVE INVESTIGATIONS, Investigative Files

INTERVIEWS:

At the time of the onsite audit, there were no inmates who reported a sexual abuse involving staff while at the facility. Therefore, no inmate was interviewed specific to this provision.

FINDINGS:

Agency Policy P-100, and P-600 address this provision. The auditor completed a review of investigative files. A review of investigative files revealed-

Nonconsensual Sexual Acts-

- 2 unsubstantiated reports of nonconsensual sexual acts. The victims reported these

incidents several months or years after the incident was alleged to have occurred. Due to this delay, there was no evidence that could be collected and used to substantiate their allegation

- 4 unfounded reports of nonconsensual sexual acts. In all four reported incidents, video and evidence and witness testimony proved that these allegations never occurred and that the victims were manipulating their housing assignments over debts owed.

- 2 unfounded reports of sexual assaults by staff. In the first reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while in an observation cell. Video surveillance of the incident revealed the allegation made never occurred. In the second reported incident, an inmate claimed to have been sexually assaulted during an incident where staff used force to gain control of the inmate while they were receiving medical treatment at a hospital. Contact was determined to have been incidental while controlling a combative inmate.

Abusive sexual Contact- Inmates claimed to have been touched by another inmate

- 1 substantiated report of abusive sexual contact. The reporting inmate claimed to have been inappropriately touched by another inmate. The suspect admitted that they in fact did touch the victim. The suspect was monitored for further incidents and referred for mental health services.

- 2 unsubstantiated reports of abusive sexual contact. In both reported incidents, the only available evidence was witness interviews and statements from victims and suspects. Due to the conflicting statements, the investigators could not prove or disprove these two reported allegations of inappropriate touching.

- 1 unfounded report of abusive sexual contact. The reporting inmate claimed to have been abused in custody in 2012. Investigation of the allegation included a review of housing records for previous bookings which were able to disprove the allegation. Further, the reporting inmate made it clear that they would only cooperate with investigators if released from custody.

Sexual Harassment- Inmates stated that they were told to perform a sexual act or subjected to view an unclothed inmate

- 3 unsubstantiated reports of sexual harassment. One reporting inmate claimed to have been harassed however; witness testimony showed they were actually the aggressor. The reporting inmate in the second incident made the allegation to manipulate their housing, due to being housed in the same unit as an acquaintance in a current case. In the third incident, the reporting inmate's allegation was unsubstantiated due to lack of corroborating evidence and witness statements.

- 3 unfounded reports of sexual harassment. The reporting inmates in all three cases claimed to have been harassed, but investigation revealed no evidence to support the allegations. It was determined that the allegations were made to manipulate a housing change.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.76 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE FINDINGS: Agency Policy P-100, and P-900 address this provision. The auditor reviewed the above policies. Per policy P-900 “PREA-Hiring, Promotions, and Discipline” staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Additionally, disciplinary sanctions for violations of agency policies relations to sexual abuse or sexual harassment commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories. The agency reported there have been no staff that have violated agency sexual abuse or sexual harassment policies in the past twelve (12) months.</p> <p>115.76 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE FINDINGS: Agency Policy P-100, and P-900 address this provision. The auditor reviewed the above policies. Per policy P-900 “PREA-Hiring, Promotions, and Discipline” staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation are reported to law enforcement agencies, and to relevant licensing bodies. The agency reported there have been no staff that have violated agency sexual abuse or sexual harassment policies in the past twelve (12) months.</p> <p>115.76 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE FINDINGS: Agency Policy P-100, and P-900 address this provision. The auditor reviewed the above policies. Per policy P-900 “PREA-Hiring, Promotions, and Discipline” staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation are reported to law enforcement agencies, and to relevant licensing bodies. The agency reported there have been no staff that have violated agency sexual abuse or sexual harassment policies in the past twelve (12) months.</p>

115.76 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE

FINDINGS:

Agency Policy P-100, and P-900 address this provision. The auditor reviewed the above policies. Per policy P-900 "PREA-Hiring, Promotions, and Discipline" staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation are reported to law enforcement agencies, and to relevant licensing bodies. The agency reported there have been no staff that have violated agency sexual abuse or sexual harassment policies in the past twelve (12) months.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.77 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE FINDINGS: Agency Policy P-100, and P-900 address this provision. The auditor reviewed the above policies. The agency reported there had been no contractor or volunteer reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates in the past twelve (12) months, therefore there was no documentation to review specific to this provision.</p> <p>115.77 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE FINDINGS: Agency Policy P-100, and P-900 address this provision. The auditor reviewed the above policies. The agency reported there had been no contractor or volunteer reported to law enforcement agencies and relevant licensing bodies for engaging in sexual abuse of inmates in the past twelve (12) months, therefore there was no documentation to review specific to this provision. The auditor interviewed Investigative Staff. Staff interviewed reported any allegations of sexual abuse of inmates by contractors or volunteers would be treated the same as if they were regular staff. Human Resources would be contacted, who would then contact the contractor's point of contact and cease the contract with the contractor. Both volunteers and contractors would be prohibited from having further contact with inmates.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.78 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE, Inmates Rules and Regulations Handbook. The agency reported there was one incident of substantiated sexual contact between inmates. The suspect was monitored for further incidents and referred for mental health services. FINDINGS: Agency Policy P-100, and P-900 address this provision. The auditor reviewed the Inmate Rules and Regulations Handbook. The Inmate Rules and Regulations Handbook provide information related to the Code of Conduct and Progressive Disciplinary Sanctions, including sanctions pertaining to sexual abuse and sexual harassment.</p> <p>115.78 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE, Inmates Rules and Regulations Handbook. The agency reported there was one incident of substantiated sexual contact between inmates. The suspect was monitored for further incidents and referred for mental health services. INTERVIEWS: Lerdo Jail Watch Commander FINDINGS: Agency Policy P-100, and P-900 address this provision. The auditor reviewed the above policies and interviewed the Lerdo Jail Watch Commander. The agency reported there was one incident of substantiated sexual contact between inmates. The suspect was monitored for further incidents and referred for mental health services. The agency reported there have been no inmates placed in isolation for inmate-on-inmate sexual abuse as a disciplinary sanction in the past twelve (12) months.</p> <p>115.78 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE, Inmates Rules and Regulations Handbook. The agency reported there was one incident of substantiated sexual contact between inmates. The suspect was monitored for further incidents and referred for mental health services. INTERVIEWS: Lerdo Jail Watch Commander FINDINGS: Agency Policy P-100, and P-900 address this provision. The auditor reviewed all PREA reported incidents in 2017. The agency reported there was one incident of substantiated sexual contact between inmates. The suspect was monitored for further incidents and referred</p>

for mental health services. The agency reported there have been no inmates placed in isolation for inmate-on-inmate sexual abuse as a disciplinary sanction in the past twelve (12) months. Staff interviewed reported any sanction would be referred for supervisory review and approval.

115.78 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE

INTERVIEWS:

Medical and Mental Health Staff

FINDINGS:

Agency Policy P-100, and P-900 address this provision. The agency interviewed medical and mental health staff. Staff interviewed reported the offending inmate was offered therapy, counseling, and other intervention services. However, the inmate would not be required to participate as a condition of access to any rewards-based behavior management system or programming or education.

115.78 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE. The agency reported there were no reported incidents involving sexual contact of inmates with staff.

FINDINGS:

Agency Policy P-100, and P-900 address this provision. The auditor reviewed all PREA reported incidents in 2017. The agency reported there were no reported incidents involving sexual contact of inmates with staff, therefore there was no documentation to review specific to this provision.

115.78 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-900 HIRING, PROMOTIONS, AND DISCIPLINE.

FINDINGS:

Agency Policy P-100, and P-900 address this provision. The auditor reviewed the above applicable policies.

115.78 (g)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT,

FINDINGS:

Agency Policy P-100 addresses this provision. The auditor reviewed the above applicable policies.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.81 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN INTERVIEWS: Classification Staff, Inmates who disclosed Sexual Victimization at Risk Screening FINDINGS: Agency Policy P-100, and P-500 address this provision. The auditor reviewed a sample of intake forms. A review of the intake forms used by the agency demonstrate how the intake screening staff, medical and mental health staff document the follow-up services inmates with prior sexual victimization disclose during the screening process. The auditor reviewed Classification and Intake Staff. Staff interviewed reported they work with the counselors by notifying them immediately and doing a referral. Inmates interviewed reported being referred to medical and mental health staff for follow-up. A review of the resident files reflected the inmates did receive a follow-up meeting with medical and mental health practitioners as required.</p> <p>115.81 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN INTERVIEWS: Classification Staff, Inmates who disclosed Sexual Victimization at Risk Screening FINDINGS: Agency Policy P-100, and P-500 address this provision. The auditor interviewed the Classification and Intake Staff. The agency reported 100% of the inmates who have previously perpetrated sexual abuse were offered a follow-up meeting with a mental health practitioner. The auditor reviewed a randomly selected inmate classification file.</p> <p>115.81 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN INTERVIEWS: Classification Staff, Inmates who disclosed Sexual Victimization at Risk Screening ONSITE REVIEW (TOUR OBSERVATIONS): During the onsite tour, the auditor noted medical and mental health staff have designated space where staff can privately meet with inmates. Medical and mental Health records are maintained separately and shared according to policy. FINDINGS: Agency Policy P-100, and P-500 address this provision. The auditor reviewed the above applicable policies.</p>

115.81 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN

INTERVIEWS:

Medical and Mental Health Staff

ONSITE REVIEW (TOUR OBSERVATIONS):

During the onsite tour, the auditor noted medical and mental health staff have designated space where staff can privately meet with inmates. Medical and mental Health records are maintained separately and shared according to policy.

FINDINGS:

Agency Policy P-100, and P-500 address this provision. The auditor reviewed the above applicable policies.

115.81 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN

INTERVIEWS:

Medical and Mental Health Staff

FINDINGS:

Agency Policy P-100, and P-500 address this provision. The auditor reviewed the above applicable policies.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.82 (a)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN</p> <p>INTERVIEWS: Medical and Mental Health Staff, Inmate who Reported Sexual Abuse</p> <p>FINDINGS: Agency Policy P-100, P-500, and P-550 address this provision. The auditor interviewed medical and mental health staff. Staff interviewed reported inmates would be provided emergency medical treatment immediately and that the nature and scope of the services are determined according to their professional judgement.</p>
	<p>115.82 (b)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN</p> <p>INTERVIEWS: Security Staff, and Staff First Responders</p> <p>FINDINGS: Agency Policy P-100, P-500, and P-550 address this provision. Agency policy P-550 requires staff notify Medical and Mental Health Staff if they believe an inmate is actively experiencing a mental health crisis. The agency uses the Medical Referral Form in response to this provision. The auditor interviewed security staff and first responders. Staff who responded to one of the 2017 reported sexual abuse incidents were interviewed and reported protective measures were taken for the alleged victim, and the victim was referred for counseling.</p>
	<p>115.82 (c)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN</p> <p>INTERVIEWS: Medical and Mental Health Staff, Inmate who Reported Sexual Abuse</p> <p>FINDINGS: Agency Policy P-100, P-500, and P-550 address this provision. The auditor interviewed medical and mental health staff. Staff interviewed reported the required information and services would be provided immediately.</p>
	<p>115.82 (d)</p> <p>POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL</p>

HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN

INTERVIEWS:

Medical and Mental Health Staff, Inmate who Reported Sexual Abuse

FINDINGS:

Agency Policy P-100, P-500, and P-550 address this provision. The auditor interviewed medical and mental health staff. Staff interviewed reported the required information and services would be provided immediately.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>115.83 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN ONSITE REVIEW (TOUR OBSERVATIONS): During the tour, the auditor observed the medical section at the facility. Medical services are available 24/7 at the facility. Mental Health counselors provide treatment and counseling to inmates. FINDINGS: Agency Policy P-100, P-500, and P-550 address this provision. The auditor interviewed medical and mental health staff who confirmed counselors provide treatment and counseling to inmates.</p> <p>115.83 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN INTERVIEWS: Medical and Mental Health Staff. At the time of the onsite audit, there were no inmates who reported a sexual abuse at the facility, therefore no inmate was interviewed specific to this provision. FINDINGS: Agency Policy P-100, P-500, and P-550 address this provision. The auditor reviewed the above applicable policies.</p> <p>115.83 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN INTERVIEWS: Medical and Mental Health Staff. FINDINGS: Agency Policy P-100, P-500, and P-550 address this provision. The auditor interviewed medical and mental health staff. Staff interviewed reported the services provided go beyond the community level of care.</p> <p>115.83 (d) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM</p>	

SERVICES RESPONSE PLAN

INTERVIEWS:

At the time of the onsite audit, there were no female inmates who reported a sexual abuse at the facility, therefore no resident was interviewed specific to this provision.

FINDINGS:

Agency Policy P-100, P-500, and P-550 address this provision. The auditor reviewed the above applicable policies.

115.83 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN

INTERVIEWS:

At the time of the onsite audit, there were no female inmates who reported a sexual abuse at the facility, therefore no resident was interviewed specific to this provision.

FINDINGS:

Agency Policy P-100, P-500, and P-550 address this provision. The auditor reviewed the above applicable policies. The auditor interviewed the PREA Coordinator. Staff interviewed reported the required information and services would be provided.

115.83 (f)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN

INTERVIEWS:

Inmate who reported Sexual Abuse

FINDINGS:

Agency Policy P-100, P-500, and P-550 address this provision. The auditor interviewed an inmate who had previously reported sexual abuse. The inmate confirmed he was offered tests for sexually transmitted infections as medically appropriate.

115.83 (g)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN

INTERVIEWS:

Inmate who reported Sexual Abuse

FINDINGS:

Agency Policy P-100, P-500, and P-550 address this provision. The auditor interviewed an inmate who had previously reported sexual abuse. The inmate confirmed treatment services were provided at no cost to him.

115.83 (h)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL

HARASSMENT, P-500 SEXUAL ASSAULT/ABUSE RESPONSE PLAN, P-550 VICTIM SERVICES RESPONSE PLAN. The agency's facility is a jail, and therefore is exempt from this provision.

FINDINGS:

Agency Policy P-100, P-500, and P-550 address this provision. The auditor reviewed the above applicable policies. The agency's facility is a jail, and therefore is exempt from this provision.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.86 (a) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-700 PREA- DATA COLLECTION, REVIEWS AND AUDITS FINDINGS: Agency Policy P-100, and P-700 address this provision. The auditor reviewed the above applicable policies. The agency utilizes its supervisors and investigative staff to conduct a sexual abuse incident review at the end of every sexual abuse investigation. This includes investigations where the incident was not substantiated. The auditor interviewed medical and mental health staff as well as members of the review team to ensure the review was being conducted in a timely fashion. This review is conducted within 30 days of the conclusion of the investigation. As previously stated, the review team includes a mixture of upper-level management officials, line supervisors, investigators, and medical and mental health staff. The facility takes all the above factors into account after an investigation and usually implements the recommendations for improvement. If not, it documents the reason for doing so.</p> <p>115.86 (b) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-700 PREA- DATA COLLECTION, REVIEWS AND AUDITS, Investigative Files FINDINGS: Agency Policy P-100, and P-700 address this provision. The auditor reviewed the above applicable policies. The agency utilizes its supervisors and investigative staff to conduct a sexual abuse incident review at the end of every sexual abuse investigation. This includes investigations where the incident was not substantiated. The auditor interviewed medical and mental health staff as well as members of the review team to ensure the review was being conducted in a timely fashion. This review is conducted within 30 days of the conclusion of the investigation. As previously stated, the review team includes a mixture of upper-level management officials, line supervisors, investigators, and medical and mental health staff. The facility takes all the above factors into account after an investigation and usually implements the recommendations for improvement. If not, it documents the reason for doing so. A review of the investigative files reflected the department had completed a sexual abuse incident review as required.</p> <p>115.86 (c) POLICY AND DOCUMENT REVIEW: Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-700 PREA- DATA COLLECTION, REVIEWS AND AUDITS FINDINGS: Agency Policy P-100, and P-700 address this provision. The auditor reviewed the above applicable policies. The agency utilizes its supervisors and investigative staff to conduct a</p>

sexual abuse incident review at the end of every sexual abuse investigation. This includes investigations where the incident was not substantiated. The auditor interviewed medical and mental health staff as well as members of the review team to ensure the review was being conducted in a timely fashion. This review is conducted within 30 days of the conclusion of the investigation. As previously stated, the review team includes a mixture of upper-level management officials, line supervisors, investigators, and medical and mental health staff. The facility takes all the above factors into account after an investigation and usually implements the recommendations for improvement. If not, it documents the reason for doing so.

115.86 (d)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-700 PREA- DATA COLLECTION, REVIEWS AND AUDITS

FINDINGS:

Agency Policy P-100, and P-700 address this provision. The auditor reviewed the above applicable policies. The agency utilizes its supervisors and investigative staff to conduct a sexual abuse incident review at the end of every sexual abuse investigation. This includes investigations where the incident was not substantiated. The auditor interviewed medical and mental health staff as well as members of the review team to ensure the review was being conducted in a timely fashion. This review is conducted within 30 days of the conclusion of the investigation. As previously stated, the review team includes a mixture of upper-level management officials, line supervisors, investigators, and medical and mental health staff. The facility takes all the above factors into account after an investigation and usually implements the recommendations for improvement. If not, it documents the reason for doing so.

115.86 (e)

POLICY AND DOCUMENT REVIEW:

Agency Policy P-100 PREA ZERO TOLERANCE OF SEXUAL ABUSE AND SEXUAL HARASSMENT, P-700 PREA- DATA COLLECTION, REVIEWS AND AUDITS

FINDINGS:

Agency Policy P-100, and P-700 address this provision.

115.87	Data collection
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

115.88	Data review for corrective action
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>115.401 (h) Did the auditor have access to, and the ability to observe, all areas of the audited facility? The PREA Coordinator took the auditor on a tour of the facility. The tour started in the intake and booking area. The auditor immediately noted posters on the walls with PREA information in both English and Spanish; then inspected the folding cells and the Central Control where a female Sheriff's Aide monitors the video of the holding cells captured by the surveillance cameras. The auditor noted that all of the temporary holding cells have permanent privacy screens. Like all other agency facilities, all inmate screening information is stored in the online computer system. The tour continued with the Segregated Housing, where the auditor toured the control booth, reviewed logs, observed inmate use of the shower and asked impromptu questions of the assigned deputies. The auditor reviewed all pods in Segregated Housing. The auditor noted PREA posters were located in each pod, and that the PREA educational video was working. The PREA Coordinator took the auditor on of tours of each Housing Unit in the facility, including the female Housing Unit area. The auditor reviewed the logbooks in each Housing Unit to see that "unannounced rounds" were notated as well as any female staff announcements. The auditor inspected all showers and restrooms for privacy, and the exercise yard. During the tour of the units, there were no inmate workers. The PREA Coordinator took the auditor to the infirmary and new mental health unit where the auditor viewed suicide watch cells, spoke with medical staff, and talked with inmates who had just received medical treatment. The auditor toured the Sergeant's office, PREA Compliance Manager's Office, and the Central Control room where deputies monitor live video from several of the new and upgraded surveillance systems. The auditor noted the surveillance systems monitored the Infirmary, all main corridors, and main hallways between the pods. The auditor also toured the sally ports, and the area where newly booked inmates are transferred and intake is conducted.</p> <p>115.401 (i) Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)? The auditor was given access to any and all records necessary and pertinent to the PREA audit and investigation.</p> <p>115.401 (h) Was the auditor permitted to conduct private interviews with inmates, inmates, and detainees? The auditor was given staff rosters, inmate rosters, and a list of medical and mental health staff from the PREA Coordinator the day before the audit as to assure the best available accuracy for interviews. The auditor randomly selected two inmates from each Housing Unit pod to select for interviews. The auditor then picked any inmates who fit the criteria for specialized inmate interviews. The auditor conducted a total of thirty-five (35) inmate interviews. The agency allowed the auditor to conduct all interviews in a private and confidential setting.</p> <p>115.401 (m) and (n) The auditor was allowed to conduct private interviews with inmates, inmates, and detainees. There were no inmates at the Lerdo Pre-Trail facility who sent the auditor confidential email prior to the audit. The auditor confirmed the "Notice of Audit" was placed at the jail facility at</p>

least 60 days before the on-site audit.

PREA Standard 115.401 (n) states that Inmates shall be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.

115.403	Audit contents and findings
	Auditor Overall Determination: Audited at Agency Level
	Auditor Discussion

Appendix: Provision Findings

115.11 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes

115.11 (c)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes

115.12 (a)	Contracting with other entities for the confinement of inmates	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na

115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates OR the response to 115.12(a)-1 is "NO".)	na

115.13 (a)	Supervision and monitoring	
	Does the agency ensure that each facility has developed a staffing plan that provides for adequate levels of staffing and, where applicable, video	yes

	monitoring, to protect inmates against sexual abuse?	
	Does the agency ensure that each facility has documented a staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the generally accepted detention and correctional practices in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any judicial findings of inadequacy in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from Federal investigative agencies in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any findings of inadequacy from internal or external oversight bodies in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration all components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated) in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the composition of the inmate population in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the number and placement of supervisory staff in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration the institution programs occurring on a particular shift in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any applicable State or local laws, regulations, or standards in calculating adequate staffing levels and determining the need for video monitoring?	yes

	Does the agency ensure that each facility's staffing plan takes into consideration the prevalence of substantiated and unsubstantiated incidents of sexual abuse in calculating adequate staffing levels and determining the need for video monitoring?	yes
	Does the agency ensure that each facility's staffing plan takes into consideration any other relevant factors in calculating adequate staffing levels and determining the need for video monitoring ?	yes

115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	yes

115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes

115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates in non-exigent circumstances? (N/A here for facilities with less than 50 inmates before August 20,2017.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A here for facilities with less than 50 inmates before August 20,2017.)	yes

115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates?	yes

115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility implement a policy and practice that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes

115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes

115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all	yes

	aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes

115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes

115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes

115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates?	yes

115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency: perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency: consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes

115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes

115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes

115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na

115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes

115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice’s Office on Violence Against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,” or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes

115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member?	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes

115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes

115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating entity follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	na

115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency attempts to make a victim advocate from a rape crisis center available to victims per 115.21(d) above.)	na

115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes

115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does such publication describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na

115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes

115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes

115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes

115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes

115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes

115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes

115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes

115.33 (c)	Inmate education	
	Have all inmates received such education?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes

115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes

115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes

115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment?	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment?	yes

115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams.)	na

115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere?	yes

115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31?	yes
	Do medical and mental health care practitioners contracted by and volunteering for the agency also receive training mandated for contractors and volunteers by §115.32?	yes

115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes

115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes

115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes

115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, when known to the agency: history of prior institutional violence or sexual abuse?	yes

115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a: Referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Request?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to a: Receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes

115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes

115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes

115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes

115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes

115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes

115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes

115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes

115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status?	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status?	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status?	yes

115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The opportunities that have been limited?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The duration of the limitation?	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document: The reasons for such limitations?	yes

115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes

115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes

115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes

115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security?	yes

115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes

115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes

115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes

115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes

115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes

115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes

115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies?	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes

115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes

115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes

115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes

115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes

115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes

115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes

115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes

115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes

115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes

115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes

115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes

115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes

115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes

115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes

115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes

115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes

115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes

115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes

115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes

115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes

115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes

115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes

115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes

115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes

115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes

115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes

115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	na

115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes

115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	na

115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes

115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes

115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes

115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes

115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes

115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes

115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes

115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes

115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes

115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes

115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes

115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes

115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes

115.78 (g)	Disciplinary sanctions for inmates	
	Does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes

115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes

115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na

115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes

115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes

115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes

115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes

115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes

115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes

115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes

115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes

115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if all-male facility.)	yes

115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if all-male facility.)	yes

115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes

115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na

115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes

115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes

115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes

115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes

115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes

115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes