

PREA Facility Audit Report: Final

Name of Facility: Pennington County Law Enforcement Center

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 12/05/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input 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 type="checkbox"/>
Auditor Full Name as Signed: Darnel Carlson	Date of Signature: 12/05/2022

AUDITOR INFORMATION	
Auditor name:	Carlson, Darnel
Email:	dmcarlson16@gmail.com
Start Date of On-Site Audit:	07/28/2022
End Date of On-Site Audit:	07/29/2022

FACILITY INFORMATION	
Facility name:	Pennington County Law Enforcement Center
Facility physical address:	102 West 1st Street, Thief River Falls, Minnesota - 56701
Facility mailing address:	

Primary Contact	
Name:	Dave Casanova
Email Address:	dcasanova@penningtonsheriff.org
Telephone Number:	2186865310

Warden/Jail Administrator/Sheriff/Director	
Name:	Dave Casanova
Email Address:	dcasanova@penningtonsheriff.org
Telephone Number:	2186865310

Facility PREA Compliance Manager	
Name:	
Email Address:	
Telephone Number:	

Facility Health Service Administrator On-site	
Name:	Jenette Pruitt
Email Address:	jpruitt@mendcare.com>
Telephone Number:	2184167095

Facility Characteristics	
Designed facility capacity:	92
Current population of facility:	51
Average daily population for the past 12 months:	37
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	18-60
Facility security levels/inmate custody levels:	Min. Max. Med.
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	22
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	6
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	Pennington County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	119 Main Avenue South, Thief River Falls, Minnesota - 56701
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:	
Name:	
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information			
Name:	Dave Casanova	Email Address:	dcasanova@penningtonsheriff.org

SUMMARY OF AUDIT FINDINGS	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
Number of standards exceeded:	
2	<ul style="list-style-type: none"> • 115.31 - Employee training • 115.43 - Protective Custody
Number of standards met:	
43	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2022-07-28
2. End date of the onsite portion of the audit:	2022-07-29

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	Violence Intervention Project Pennington County Victim Services

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	92
15. Average daily population for the past 12 months:	37
16. Number of inmate/resident/detainee housing units:	7
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit

Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	48
37. Enter the total number of youthful inmates or youthful/juvenile detainees in the facility as of the first day of the onsite portion of the audit:	0
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	0
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	0

<p>43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>On the first day, I checked the inmate roster to verify the inmate who reported sexual abuse was released from the facility. I checked with jail staff and medical staff for any inmates who may identify as gay, lesbian, or bisexual or reported sexual victimization during the risk screening. I could not identify any inmates with disabilities or limited English proficiency.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>16</p>

<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>0</p>
<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>1</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>Volunteers have not been in the jail since March 2020. The facility does not use inmate workers in the kitchen One contracted medical staff member was in the building on the first day of the audit.</p>

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>10</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p><input checked="" type="checkbox"/> Age</p> <p><input checked="" type="checkbox"/> Race</p> <p><input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic)</p> <p><input checked="" type="checkbox"/> Length of time in the facility</p> <p><input checked="" type="checkbox"/> Housing assignment</p> <p><input checked="" type="checkbox"/> Gender</p> <p><input type="checkbox"/> Other</p> <p><input type="checkbox"/> None</p>

<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>I selected random inmate interviewees from all housing units, gender and age, race, and length of stay in the jail.</p>
<p>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>Staff in the facility were very accommodating and did not interfere with interviewing the random inmates selected.</p>
<p>Targeted Inmate/Resident/Detainee Interviews</p>	
<p>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>0</p>
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<p>59. Enter the total number of interviews conducted with youthful inmates or youthful/juvenile detainees using the "Youthful Inmates" protocol:</p>	<p>0</p>

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/detainees.</p> <p><input type="checkbox"/> The inmates/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/detainees).</p>	<p>The facility reported zero juveniles being housed in the past twelve months. The inmate roster was reviewed at the facility on the first day of the audit.</p>
<p>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not observe any inmates with physical disabilities during the onsite audit. The inmates, Medical, and correctional staff interviewed did not disclose any information about physically disabled inmates being housed in the facility. I spoke with the PREA Coordinator to verify there weren't any physically disabled inmates being housed in the facility.</p>

<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not observe any inmates with cognitive or functional disabilities during the onsite audit. The inmates, Medical, and correctional staff interviewed did not disclose any information about cognitive or functionally disabled inmates being housed in the facility. I spoke with the PREA Coordinator to verify there weren't any inmates with cognitive or functionally disabled inmates.</p>
<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not observe any inmates who were blind or had low vision. The inmates, Medical, and correctional staff interviewed did not disclose any information about inmates who were blind or had low vision being housed in the facility. I spoke with the PREA Coordinator to verify there weren't any inmates who were blind or had low vision.</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not observe any inmates who were deaf or hard of hearing. The inmates, Medical, and correctional staff interviewed did not disclose any information about inmates who were deaf or hard of hearing being housed in the facility. I spoke with the PREA Coordinator to verify there weren't any inmates who were deaf or hard of hearing.</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not observe any inmates who were limited English proficient. The inmates, Medical, and correctional staff interviewed did not disclose any information about inmates with limited English proficiency. I spoke with the PREA Coordinator to verify there weren't any limited English-proficient inmates in the facility.</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not identify any inmates who identified as lesbian, gay, or bisexual. The inmates, Medical, and correctional staff interviewed did not disclose knowledge of any inmates who identified as lesbian, gay, or bisexual. I spoke with the PREA Coordinator, who couldn't identify any inmates who identified as lesbian, gay, or bisexual.</p>

<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not identify any inmates who identified as transgender or intersex. The inmates, Medical, and correctional staff interviewed did not disclose knowledge of any inmates who identified as transgender and intersex. I spoke with the PREA Coordinator, who couldn't identify any inmates who identified as transgender or intersex.</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported one allegation of sexual abuse. On the first day of the audit, I compared the in-custody list with the victim listed on the allegation to confirm that the inmate had been released.</p>

<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not identify any inmates who disclosed prior sexual victimization during risk screening. The inmates, Medical, and staff who performed risk screenings interviewed did not disclose knowledge of any inmates currently in custody who disclosed prior sexual victimization during the risk screening. I spoke with the PREA Coordinator, who could not identify any inmates who had revealed prior sexual victimization during the risk screening.</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>I did not identify any inmates in segregated housing for risk of sexual victimization. The inmates did not disclose knowledge of inmates being placed in segregated housing for risk of sexual victimization. Staff interviewed confirmed that, to their knowledge, there haven't been any inmates placed in segregated housing for being at risk of sexual victimization. I spoke with the PREA Coordinator, who explained that inmates would only be placed in segregated housing if no other options were available. I did not find any evidence of inmates being placed in segregated housing for risk of sexual victimization.</p>
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<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>No text provided.</p>
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Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>12</p>
<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None

<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>There were a total of 11 full-time and 2 part-time correctional staff employed during the onsite audit.5</p>
<p align="center">Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>5</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>78. Were you able to interview the PREA Coordinator?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>79. Were you able to interview the PREA Compliance Manager?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)</p>

80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)

- Agency contract administrator
- Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment
- Line staff who supervise youthful inmates (if applicable)
- Education and program staff who work with youthful inmates (if applicable)
- Medical staff
- Mental health staff
- Non-medical staff involved in cross-gender strip or visual searches
- Administrative (human resources) staff
- Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff
- Investigative staff responsible for conducting administrative investigations
- Investigative staff responsible for conducting criminal investigations
- Staff who perform screening for risk of victimization and abusiveness
- Staff who supervise inmates in segregated housing/residents in isolation
- Staff on the sexual abuse incident review team
- Designated staff member charged with monitoring retaliation
- First responders, both security and non-security staff

	<input checked="" type="checkbox"/> Intake staff <input checked="" type="checkbox"/> Other
If "Other," provide additional specialized staff roles interviewed:	Program Coordinator Training Officer
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input type="radio"/> Yes <input checked="" type="radio"/> No
82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	1
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
83. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

PREA Standard 115.401 (h) states, "The auditor shall have access to, and shall observe, all areas of the audited facilities." In order to meet the requirements in this Standard, the site review portion of the onsite audit must include a thorough examination of the entire facility. The site review is not a casual tour of the facility. It is an active, inquiring process that includes talking with staff and inmates to determine whether, and the extent to which, the audited facility's practices demonstrate compliance with the Standards. Note: As you are conducting the site review, you must document your tests of critical functions, important information gathered through observations, and any issues identified with facility practices. The information you collect through the site review is a crucial part of the evidence you will analyze as part of your compliance determinations and will be needed to complete your audit report, including the Post-Audit Reporting Information.

84. Did you have access to all areas of the facility?

Yes

No

Was the site review an active, inquiring process that included the following:

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?

Yes

No

86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?

Yes

No

87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?

Yes

No

<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>No text provided.</p>

Documentation Sampling

Where there is a collection of records to review—such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files—auditors must self-select for review a representative sample of each type of record.

<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>No text provided.</p>

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

Remember the number of allegations should be based on a review of all sources of allegations (e.g., hotline, third-party, grievances) and should not be based solely on the number of investigations conducted. Note: For question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, or detainee sexual abuse allegations and investigations, as applicable to the facility type being audited.

92. Total number of SEXUAL ABUSE allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	1	1	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	1	0	0	0

93. Total number of SEXUAL HARASSMENT allegations and investigations overview during the 12 months preceding the audit, by incident type:

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

Note: these counts should reflect where the investigation is currently (i.e., if a criminal investigation was referred for prosecution and resulted in a conviction, that investigation outcome should only appear in the count for “convicted.”) Do not double count. Additionally, for question brevity, we use the term “inmate” in the following questions. Auditors should provide information on inmate, resident, and detainee sexual abuse investigation files, as applicable to the facility type being audited.

94. Criminal SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual abuse	0	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	0	0	0	0	0

95. Administrative SEXUAL ABUSE investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	0	0	0

Sexual Harassment Investigation Outcomes

Note: these counts should reflect where the investigation is currently. Do not double count. Additionally, for question brevity, we use the term "inmate" in the following questions. Auditors should provide information on inmate, resident, and detainee sexual harassment investigation files, as applicable to the facility type being audited.

96. Criminal SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual harassment	0	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0	0
Total	0	0	0	0	0

97. Administrative SEXUAL HARASSMENT investigation outcomes during the 12 months preceding the audit:

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	0	0	0

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	1
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)
Inmate-on-inmate sexual abuse investigation files	
100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	1
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)

Staff-on-inmate sexual abuse investigation files

103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)

Sexual Harassment Investigation Files Selected for Review

106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	0
a. Explain why you were unable to review any sexual harassment investigation files:	In the past twelve months, the facility reported one allegation of inmate-on-inmate sexual abuse. Only a criminal investigation was conducted with a final disposition of unfounded.
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)

Inmate-on-inmate sexual harassment investigation files

108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0
109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)

Staff-on-inmate sexual harassment investigation files

111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0
112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)

113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
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114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.	In the past twelve months, the facility received one allegation of inmate-on-inmate sexual abuse. The Pennington County Sheriff's Office conducted a criminal investigation.
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.	<input type="radio"/> Yes <input checked="" type="radio"/> No
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Non-certified Support Staff

116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.	<input type="radio"/> Yes <input checked="" type="radio"/> No
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AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

- The audited facility or its parent agency
- My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)
- A third-party auditing entity (e.g., accreditation body, consulting firm)
- Other

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>The facility has implemented a zero-tolerance policy as detailed in policy #18, which comprehensively addresses the Agency's approach to preventing, detecting, and responding to all forms of sexual abuse and sexual harassment. The policy also outlines prohibited behavior and contains basic definitions outlined in the PREA standards. The policy creates the basis for the Agency's training requirements and discipline for staff, inmates, volunteers, and contractors who violate sexual abuse and harassment policies.</p> <p>Facility policy #18.01 outlines the designation of an upper-level, Agency wide PREA Coordinator to oversee the implementation of PREA. Jail Administrator Dave Casanova is the Agency's PREA Coordinator who reports directly to the Sheriff. The PREA Coordinator reported having sufficient time and authority to develop, implement, and oversee the Agency's efforts toward PREA compliance.</p> <p>The Agency operates one facility - The Agency is not required to have a PREA Compliance Manager.</p>

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This standard does not apply to the facility. The Agency does not have any housing contracts with other agencies for the confinement of their inmates. If there is a need for the Agency to secure housing contracts with other agencies in the future, facility policy #18.01 requires new contracts to include language regarding the entity's obligation to adopt and comply with the PREA standards.</p> <p>The Agency maintains contracts with the Minnesota Department of Corrections Work Release and ICWC programs and the U.S. Marshals to house State and Federal offenders at the Pennington County Jail.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility reports an average daily population of 37 inmates. On the first day of the onsite audit, there were 48 inmates in custody. The facility staffing plan is based on 92 inmates, the licensed capacity approved by the Minnesota Department of Corrections Inspection and Enforcement Unit.</p> <p>The facility has a formalized written staffing plan according to rules and regulations set by the Minnesota Department of Corrections 2911.0900 minimum staffing requirements. The written staffing plan does not include this standard's considerations in paragraph (a).</p> <p>The facility does not deviate from the staffing plan. Voluntary or mandatory overtime would be used to maintain minimum staffing.</p> <p>The Jail Administrator is also the PREA Coordinator; the Jail Administrator confirmed he reviews the staffing plan annually.</p> <p>Facility policy #18.01 outlines the requirement that supervisory staff conduct and document unannounced rounds on all shifts and prohibits staff from announcing the unannounced rounds are occurring unless related to the legitimate operations of the facility. The unannounced rounds log and video of unannounced rounds being conducted were reviewed. Sergeants confirmed they perform and log unannounced rounds on their shifts.</p> <p>Corrective Action Required: Update the current staffing plan to include all considerations in paragraph (a)</p> <p>The facility provided an updated copy of the 2022 staffing plan that includes all considerations in paragraph (a) of this standard.</p>

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility reports zero juvenile and youthful inmates housed at the facility in the past twelve months. The facility is licensed to hold juvenile inmates for twenty-four hours, excluding weekends and holidays.</p> <p>Facility policy #18.01 prohibits placing youthful inmates in a housing unit where they will have sight, sound, or physical contact with any adult inmate through a shared dayroom or other common space, shower areas, or sleeping quarters. Outside the housing unit, the facility maintains sight and sound separation between youthful and adult inmates. It provides direct staff supervision when youthful inmates have sight, sound, or physical contact with adult inmates.</p> <p>To comply with this standard, the facility will do its best to avoid placing youthful inmates in isolation. Absent exigent circumstances, the facility will not deny youthful inmates daily large muscle exercise and any legally required special education services. Youthful inmates will also have access to other programs and work opportunities to the extent possible.</p> <p>The facility design allows for flexibility to move classifications of inmates to different housing units to accommodate juveniles who have been certified as adults.</p>

115.15	Limits to cross-gender viewing and searches
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Facility policy #18.01 prohibits male staff from conducting pat-down searches of female inmates absent exigent circumstances. The facility reports that in the past twelve months, there have been zero pat-down searches of female inmates conducted by male staff. Interviews with twelve staff members and three female inmates confirmed there is always a female on duty. Female inmates can attend programs and any other out-of-unit opportunity.</p> <p>Facility policy #18.01 requires staff document any cross-gender strip searches, cross-gender visual body cavity searches, and cross-gender pat-down searches of female inmates. Observations during the onsite audit and interviews with staff and inmates were used to determine compliance with this paragraph.</p> <p>Facility currently does not have a policy ensuring inmates can shower, change clothing, and perform bodily functions with privacy or requiring staff of the opposite gender announce their presence when entering an inmate housing unit. The facility currently does not have a policy requiring staff of the opposite gender to announce their presence when entering an inmate housing unit. Observations during the onsite audit and interviews with staff and inmates confirmed the facility's practice of respecting the inmates privacy and staff of the opposite gender announcing their presence.</p> <p>Facility policy #18.01 prohibits staff from searching or physically examining a transgender or intersex inmate to determine the inmate's genital status. Staff interviewed verified they have not and would not search or physically examine a transgender or intersex inmate to determine the inmate's genital status. Staff would have a conversation with the inmate and if necessary, contact on-duty medical staff.</p> <p>Facility policy #18.01 requires jail staff to receive training on how to conduct cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible with security needs.</p> <p><u>Corrective Action Required:</u></p> <ol style="list-style-type: none"> 1. Update policy to include "ensuring inmates can shower, change clothing, and perform bodily functions with privacy." 2. Update policy to include "staff of the opposite gender must announce their presence when entering an inmate housing unit." <p>Facility provided a copy of policy #806 which ensures inmates can shower, change clothing, and perform bodily functions with privacy</p> <p>Facility provided a copy of policy #202 which requires staff of the opposite gender</p>

must announce their presence when entering an inmate housing unit.

Facility policy #18.01 prohibits staff from conducting cross-gender strip or visual body cavity searches except in exigent circumstances or performed by medical practitioners. The facility reports that there have been zero cross-gender strip searches or visual body cavity searches of inmates in the past twelve months.

Facility policy #18.01 prohibits male staff from conducting pat-down searches of female inmates absent exigent circumstances. The facility reports that in the past twelve months, there have been zero pat-down searches of female inmates conducted by male staff. Interviews with twelve staff members and three female inmates confirmed there is always a female on duty. Female inmates can attend programs and any other out-of-unit opportunity.

Facility policy #18.01 requires staff to document cross-gender strip searches, visual body cavity searches, and cross-gender pat-down searches of female inmates. Observations during the onsite audit and interviews with staff and inmates were used to determine compliance with this paragraph.

The facility currently does not have a policy ensuring inmates can shower, change clothing, and perform bodily functions with privacy or requiring a staff of the opposite gender to announce their presence when entering an inmate housing unit. The facility currently does not have a policy requiring a staff of the opposite gender to announce their presence when entering an inmate housing unit. Observations during the onsite audit and interviews with staff and inmates confirmed the facility's practice of respecting the inmates' privacy and staff of the opposite gender announcing their presence.

Facility policy #18.01 prohibits staff from searching or physically examining a transgender or intersex inmate to determine the inmate's genital status. Staff interviewed verified they have not and would not search or physically examine a transgender or intersex inmate to determine the inmate's genital status. Staff would converse with the inmate and, if necessary, contact on-duty medical staff.

Facility policy #18.01 requires jail staff to receive training on conducting cross-gender pat-down searches and searches of transgender and intersex inmates professionally, respectfully, and in the least intrusive manner possible with security needs.

Corrective Action Required:

1. Update policy to include "ensuring inmates can shower, change clothing, and perform bodily functions with privacy."
2. Update policy to include staff of the opposite gender must announce their presence when entering an inmate housing unit."

The facility provided a copy of policy #806, which ensures inmates can shower, change clothing, and perform bodily functions with privacy

The facility provided a copy of policy #202, which requires a staff of the opposite gender must announce their presence when entering an inmate housing unit.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility contracts with the Language Line to accommodate limited English-proficient inmates. The kiosks in the housing unit offer multiple language options for inmates with limited English proficiency, and the PREA video is available in Spanish. The facility has a TTY machine for deaf and hard-of-hearing inmates, and the PREA video has a closed caption. A staff member will give a verbal orientation to inmates with intellectual disabilities, blind, or limited reading skills.</p> <p>Policy #18.01 prohibits using inmate interpreters, inmate readers, or other types of inmate assistance except in circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-responder duties, or the investigation of the inmate's allegation. All staff interviewed would use a facility-approved interpreter; to their knowledge, an inmate has not been used to interpret or provide assistance in reporting sexual abuse or harassment.</p> <p>A recommendation was made to the Agency to contract with an organization that provides remote video interpreting to deaf and hard-of-hearing inmates. Information from the Deaf and Hard of Hearing Services Division of the Minnesota Department of Human Service was given to the Agency.</p> <p>The facility</p>

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Facility policy #18.01 prohibits the hiring or promotion of anyone who may have contact with inmates and prohibits enlisting the services of any contractor who may have contact with inmates who has engaged in the prohibited conduct specified in paragraph (a) of this standard. Any known incidents of sexual harassment are reviewed in determining whether to hire or promote anyone or enlist the services of any contractor who may have contact with inmates.</p> <p>Before assuming their duties, a comprehensive criminal background check is performed on new employees, contractors, and volunteers. A criminal record background check is performed through the Minnesota Bureau of Criminal Apprehension (BCA), which includes local, Federal, State, and predatory offender registers. Prior institutional employers of potential new hires are contacted during the background process.</p> <p>Facility policy #18.01 requires a criminal background record check to be conducted at least every five years of current employees and contractors who may have unsupervised contact with inmates. The Jail Administrator said the facility practice is to conduct criminal background checks every five years.</p> <p>The Pennington County employment application for the Sheriff's Office has a page labeled "PREA Questions," where the applicants are asked about previous misconduct described in paragraph (a) of this standard. A review of the employment application confirmed applicants are asked about previous misconduct described in paragraph (a) of this standard. Employees applying for promotions are asked about previous misconduct described in paragraph (a) during the interview process. Current staff members are asked about previous misconduct described in paragraph (a) annually. Facility policy #18.01 imposes a continuing affirmative duty to disclose any such misconduct upon employees. Facility policy #18.01 states material omissions regarding misconduct described in paragraph (a) of this standard or the provision of materially false information shall be grounds for termination.</p> <p>The Jail Administrator confirmed that information would be shared about previous misconduct upon receiving a release of information signed by the applicant from an institutional employer for whom the employee has applied to work unless prohibited by law.</p>

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Agency has not acquired a new facility or made any substantial expansion or modifications to the existing facility since the last PREA audit on June 30, 2020.</p> <p>The Agency has not installed or updated its video monitoring system or other monitoring technology since the last PREA audit.</p> <p>The Sheriff and Jail Administrator confirmed that PREA considerations would be taken when planning any upgrades.</p>

115.21

Evidence protocol and forensic medical examinations

Auditor Overall Determination: Meets Standard

Auditor Discussion

The Pennington County Sheriff's Office uses trained investigators to conduct criminal investigations of sexual abuse and harassment allegations. A uniform evidence protocol outlined in the Agency's Sexual Abuse policy is used to maximize the potential for obtaining usable physical evidence. In the State of Minnesota, members of law enforcement agencies do not interview juveniles or vulnerable adults; these individuals are interviewed by professionals specially trained in specialized interview techniques. Trained facility investigators conduct administrative investigations.

Forensic medical examinations are conducted in the emergency department at Sanford Medical Center in Thief River Falls, Minnesota <https://www.sanfordhealth.org/locations/sanford-thief-river-falls-medical-center>. The Executive Director of the Violence Intervention Project (VIP), The Sheriff, and the Investigator confirmed Sanford Medical Center has a SANE program. A trained forensic nurse is available twenty-four hours, seven days a week. The Executive Director of VIP explained the Medical Center calls VIP when an individual presents at the emergency department reporting sexual abuse. To date, messages left at the medical center to verify their protocol for forensic medical examinations have not been returned. The supervisor of the SANE program at the Sanford Medical Center did confirm the protocol for forensic medical examinations meets the requirement of this standard.

Facility policy #18.02 states that forensic medical examinations are provided without financial cost where evidentiary or medically appropriate.

The facility has a Memorandum of Understanding with the Violence Intervention Project (VIP) <http://www.violenceintervention.org/> located in Thief River Falls, Minnesota, and Pennington County Victim Services <https://co.pennington.mn.us/index.php/services/victim-services> located in Thief River Falls, Minnesota to provide advocacy services for inmate victims of sexual abuse. The Executive Director of VIP confirmed they would respond to inmate victims of sexual abuse at the jail. The Pennington County Victim Services victim advocate confirmed their Agency works closely with VIP on all sexual assault cases.

The victim advocate from Pennington County Victim Services would work with VIP and the victim going through the criminal justice process. If the victim requests, a VIP advocate will provide emotional support services and accompany the victim through forensic medical examinations during investigatory interviews and court processes. The victim advocate contacts a victim in the jail with any questions regarding the court process.

The Agency conducts investigations into allegations of sexual abuse.

The facility reports zero forensic medical examinations conducted in the past twelve months.

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115.22	Policies to ensure referrals of allegations for investigations
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1477 542">Facility policy #18.02 ensures that an administrative or criminal investigation is completed for all sexual abuse and sexual harassment allegations. The facility reports receiving one allegation of sexual abuse or sexual harassment. Zero administrative and one criminal investigation were completed in the past twelve months. The Sheriff confirmed that every allegation of sexual abuse or harassment is investigated.</p> <p data-bbox="256 580 1477 824">Facility policy #18.02 requires allegations of sexual abuse or sexual harassment to be referred for investigation to an Agency with the legal authority to conduct criminal investigations; all referrals will be documented. The investigator verified that every criminal allegation of sexual abuse or harassment is investigated by a trained, licensed investigator from the Sheriff's Office. Investigators from the Pennington County Sheriff's Office will conduct criminal investigations.</p> <p data-bbox="256 862 1426 1019">The Agency publishes the responsibilities of the Pennington County Sheriff's Office conducting criminal investigations and the Pennington County Jail conducting administrative investigations on its website: https://www.penningtonsheriff.org/index.php/prea.</p>

115.31	Employee training
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Facility policy #18.03 outlines the training topics all employees who may have contact with inmates receive on preventing, detecting, and responding to sexual abuse and harassment of inmates. Every staff member has received training on the eleven topics listed in paragraph (a) of this standard. PREA training includes online training on the Minnesota Sheriff's Association (MSA) ICLAD training platform and a review of the PREA policy.</p> <p>The training is designed for the unique needs of the inmates in the facility, including cross-gender supervision, inmate searching techniques, and interpersonal communication skills. Pennington County operates one facility which houses adult male and female inmates and juveniles for up to twenty-four hours, excluding weekends and holidays.</p> <p>The facility provides PREA training during the Field Training process and annually. The facility exceeds the paragraph by requiring refresher PREA training annually.</p> <p>Staff receive a certificate of completion from the MSA and acknowledge that they have received and understand the training electronically.</p> <p>All staff interviewed were able to answer the questions related to their PREA training.</p> <p>The Agency exceeds this standard in paragraph (c); the standard requires initial PREA training and refresher training every two years. The facility provides its employees with annual PREA refresher training.</p>

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility trains all volunteers and contractors who may have contact with inmates on their responsibilities regarding sexual and sexual harassment of inmates. Volunteers are emailed a link to the facility's PREA training. Volunteers complete online training on the Minnesota Sheriff's Association (MSA) ICLAD training platform, review the facility's PREA policy and watch a PREA video. The Program Coordinator facilitates PREA training for volunteers. At the orientation meeting, the Program Coordinator reviews the volunteer handbook, applicable jail rules and regulations, general expectations of volunteers, the lines of authority, responsibility, and accountability for volunteers. Volunteers have not been coming into the jail since March 2020. The facility is conducting annual online PREA training for volunteers and will resume in-person volunteer orientation on a date to be determined. Contractors complete online training on the Minnesota Sheriff's Association (MSA) ICLAD training platform, review the facility's PREA policy and watch a PREA video. Volunteers and contractors sign an acknowledgment confirming they received and understood the PREA training. The facility maintains signed acknowledgments electronically.</p>

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility reports that 632 inmates were admitted in the past twelve months, and 205 of those inmates' length of stay was for thirty days or more. During the booking process, inmates are asked to read and initial a series of notifications. One of the notifications advises inmates about the Agency's zero-tolerance policy for sexual abuse and sexual harassment and how to report sexual abuse and sexual harassment. The staff interviewed explained that the PREA notification is part of the booking process. Every inmate processed is provided the same PREA notification, which is included in the booking paperwork in the jail management system. Eight of the ten inmates interviewed remembered receiving PREA information at booking. Two inmates couldn't remember but did recall having to initial notices at booking. Staff interviewed were able to interview the PREA education process for the inmates.</p> <p>The PREA video is played every Monday morning in all the housing units and booking. Generally, within seventy-two hours of intake, a Sergeant meets with each inmate to review the facility's zero-tolerance policy. The review covers an inmate's right to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting incidents and facility procedures to respond to incidents. Inmates sign an acknowledgment to confirm participation in the education. All the inmates interviewed confirmed they met with a Sergeant and signed an acknowledgment.</p> <p>The facility uses the same booking process for every inmate admitted to the facility.</p> <p>The facility contracts with the Language Line to accommodate limited English-proficient inmates. The kiosks in the housing unit offer multiple language options for inmates with limited English proficiency, and the PREA video is available in Spanish. The facility has a TTY machine for deaf and hard-of-hearing inmates, and the PREA video has a closed caption. A staff member will give a verbal orientation to inmates with intellectual disabilities, blind, or have limited reading skills.</p> <p>Essential information about PREA is continuously and readily available or visible through posters in the housing units, inmate handbooks, the weekly PREA video, texting devices, and the PREA tab on the kiosk in the housing units.</p>

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Facility policy #18.03 requires supervisory staff to receive specialized investigative training to conduct investigations of an allegation of sexual abuse and sexual harassment. Two licensed investigators with the Pennington County Sheriff's Office are currently trained to conduct criminal sexual abuse and harassment investigations in the facility. There is one facility-trained investigator who conducts administrative investigations.</p> <p>The investigators completed specialized investigative training on the National Institute of Corrections training platform. The licensed investigator interviewed is an experienced investigator with fifteen years of law enforcement experience and four years of investigative experience. The investigator, the Chief Deputy, demonstrated knowledge of conducting investigations, including Agency policy and procedures and Statutes that apply to sexual abuse investigations. Administrative investigations are conducted by facility staff who have received specialized investigative training.</p> <p>The facility maintains training documents for employees who have completed specialized investigative training.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Facility policy #18.03 requires specialized training outlined in paragraph (a) of this standard for all full-and-part-time medical and mental health care personnel that regularly work in the facility. Medical staff interviewed knew to contact the Sergeant on duty or the PREA Coordinator to report allegations or suspicions of sexual abuse and sexual harassment. This auditor could not verify training was completed on the requirements outlined in paragraph (a) of this standard</p> <p>Paragraph (b) is not applicable; forensic medical examinations are conducted at Sanford Medical Center in Thief River Falls, MN.</p> <p>MEnD Correctional Care provides employees with training outlined in 115.31 of this standard. Medical staff completes online training on the Minnesota Sheriff's Association (MSA) ICLAD training platform, review the facility's PREA policy, and watches a PREA video. Medical staff signs an acknowledgment confirming they received and understood the PREA training. The facility maintains signed acknowledgments electronically.</p> <p>To comply with this standard, the facility should have medical staff complete training outlined in paragraph (a) of this standard and provide documentation of completed training.</p> <p>During the onsite audit, the medical staff interviewed had a complete understanding and explained their responsibilities outlined in paragraph (a) of this standard but needed to provide documented training records. The facility provided documentation of the progress of the medical staff's training. The facility was given a ninety-day notice from the medical contractor to find a new medical service. The medical provider still needs to finish all the training requirements. Still, I am changing the status to "meets standards" because a new contractor will replace the current medical contractor before the 180-day correction period ends.</p>

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>As outlined in facility policy #18.04, every inmate is screened for risk of sexual victimization or sexually abusing other inmates within seventy-two hours of intake. Nine inmates interviewed confirmed a risk screening was completed as part of the booking process before being assigned to a housing unit. One inmate interviewed had been in custody for over a year and couldn't remember. Staff interviewed confirmed inmates are screened for risk of sexual victimization or abusiveness as part of the booking process before being assigned a housing unit.</p> <p>The facility uses an objective screening tool (female and male screening tool) and includes this standard's criteria outlined in paragraph (d). The screening considers prior acts of sexual abuse, prior convictions for violent offenses, and a history of previous institutional violence or sexual abuse known to the facility. According to this standard, facility policy #18.04 outlines the criteria to assess inmates for risk of sexual victimization. Staff interviewed reported completing an assessment is included in the booking process.</p> <p>Facility policy #18.04 requires an inmate's risk level to be reassessed within thirty days from the date of admission for risk of victimization or abusiveness based upon any additional relevant information received by the facility since the initial screening was completed. The program coordinator completes a reassessment within thirty-days of intake.</p> <p>Facility policy #18.04 requires an inmate's risk level to be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk level.</p> <p>Facility policy #18.04 prohibits disciplining inmates for refusing to answer or not disclosing complete information in response to questions asked according to paragraphs (d)(1); (d)(7); (d)(8); or (d)(9) of this standard.</p> <p>Staff interviewed give completed risk assessments to the Sergeant to review; the sergeant store the assessments electronically, and access is limited to Sergeants, Jail Administrator, and Assistant Jail Administrator.</p>

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion <p>Facility policy #18.04 outlines the classification procedures for classifying inmates to keep separate inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. The PREA Coordinator and staff confirmed the risk assessment is used with the facility's classification process to consider inmate housing assignments. The final score on the risk assessment and observations during the officer's conversation with the inmate determine if the inmate is a likely victim or predator. Inmates determined to be potential victims are housed separately from inmates likely to be predators.</p> <p>Facility policy #18.04 outlines the Agency's approach to making individualized determinations about how to ensure the safety of each inmate. A risk assessment and classification process are completed on each inmate. The information collected is used to make individualized determinations to ensure the safety of every inmate. Staff confirmed the classification of every inmate is determined as outlined in facility policy #18.04 on a case-by-case basis.</p> <p>Housing and program assignments for transgender and intersex inmates are determined case by case. The PREA Coordinator confirmed placement of transgender or intersex inmates would be determined on a case-by-case basis. On the dates of the onsite audit, zero inmates were identified as transgender or intersex.</p> <p>Transgender and intersex inmates' classification and programming assignments would be reassessed at least twice yearly. The PREA Coordinator confirmed reassessments would be completed at least twice a year.</p> <p>The PREA Coordinator confirmed that transgender and intersex inmate's views with respect to their safety would be given serious consideration as outlined in policy #18.04</p> <p>All the showers in the facility allow for privacy; the PREA Coordinator and staff confirmed a transgender or intersex inmate would be allowed to shower in booking if they were uncomfortable showering in the housing unit.</p> <p>The facility is not under a consent decree, legal settlement, or legal judgment to place lesbian, gay, bisexual, transgender, or intersex inmates in a dedicated unit. This information was confirmed by the PREA Coordinator and outlined in facility policy #18.04.</p>

115.43	Protective Custody
	Auditor Overall Determination: Exceeds Standard
	<p data-bbox="256 262 560 293">Auditor Discussion</p> <p data-bbox="256 338 1477 622">Facility policy #18.04 prohibits placing inmates at high risk for sexual victimization in involuntary segregated housing unless it has been determined that no alternatives exist to separate the inmate from likely abusers. The inmate may be placed in involuntary segregated housing for a period not exceeding twenty-four hours while the assessment is completed. The Jail Administrator confirmed that putting an inmate in involuntary segregated housing would only be used if no other housing alternatives were available.</p> <p data-bbox="256 667 1477 987">The Minnesota Department of Corrections 2911 administrative rules governing jails - rule (2911.2800) requires the facility have a written policy and procedure that whenever an inmate in administrative segregation is deprived of any usually authorized item or activity, a report of the action is made, and forwarded to the facility administrator or designee. The Jail Administrator and staff interviewed verified that inmates in segregated housing have access to programs, privileges, education, and work opportunities. The facility will document opportunities that have been limited, the reason, and the duration of limitations.</p> <p data-bbox="256 1032 1445 1227">Facility policy #18.04 states inmates shall be assigned to protective custody only until an alternative means of separation from likely abusers can be arranged. This classification shall not exceed thirty days unless exigent circumstances are present. The Jail Administrator and staff interviewed said that protective custody would only be used if no other housing alternatives were available.</p> <p data-bbox="256 1272 1445 1384">Suppose an inmate is placed in involuntary protective custody. In that case, the Jail Administrator or designee will document the basis for any safety concerns and why no alternative means of separation can be arranged.</p> <p data-bbox="256 1429 1461 1541">Facility policy #18.04 states inmates classified in protective custody for purposes of separation from likely abusers will be reevaluated weekly as part of the classification process.</p> <p data-bbox="256 1585 1469 1742">Paragraph (e) of this standard requires the facility to afford each inmate in protective custody a review every thirty days to determine whether there is a continuing need for the inmate's separation from the general population. The facility exceeds this standard for its policy, requiring weekly reviews as part of the classification process.</p>

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility provides inmates with multiple internal ways to report sexual abuse and sexual harassment, retaliation, and staff neglect or violation of responsibilities that may have contributed to an incident. The reporting methods include verbal, writing through the kiosk, anonymously, and from third parties. The ten inmates interviewed would tell a staff member or in writing. All the inmates interviewed knew they could also report anonymously or have a third party report on their behalf. The random staff interviewed would accept reports of sexual abuse or harassment verbally, in writing, anonymously, and from third parties. The staff interviewed would document a verbal report as soon as possible, as outlined in facility policy #18.05. The facility does not hold inmates detained solely for immigration purposes but has included in facility policy #18.05 and the inmate handbook information on how to contact relevant consular officials.</p> <p>The facility has entered into a Memorandum of Understanding (MOU) with The Violence Intervention Project (VIP) http://www.violenceintervention.org/ located in Thief River Falls, MN, to accept third-party reports and immediately forward the report to the facility allowing the inmate to remain anonymous. The Executive Director confirmed VIP would accept calls from inmates and contact the facility with the information. The contact information is listed in the inmate handbook and posted in the housing units. Staff can privately report sexual abuse and harassment allegations to their immediate supervisor or any other Pennington County Supervisor. Staff interviewed said they would report to a Sergeant or the PREA Coordinator.</p>

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility reports that there have been zero grievances and zero emergency grievances filed alleging sexual abuse or harassment in the past twelve months.</p> <p>Facility policy #18.05 ensures there is no time limit on when an inmate can submit a grievance alleging sexual abuse or harassment and does not require an inmate to use an informal grievance process, or attempt to resolve with staff, an alleged incident of sexual abuse. The inmate handbook outlines the grievance process and includes notification that there is no time limit on submitting a grievance alleging sexual abuse and harassment.</p> <p>Facility policy #18.05 ensures an inmate who alleges sexual abuse or harassment may submit a grievance without submitting it to a staff member who is the subject of the complaint. Such grievances will not be referred to a staff member who is the subject of the complaint. Only Sergeants and Jail Administration have rights to review inmate grievances. Inmates submit grievances electronically through the kiosk.</p> <p>A final decision on formal grievances submitted by an inmate alleging sexual abuse will be provided within ninety days. The facility may use an extension of up to seventy days to issue a final decision if the normal time period is insufficient to make a final decision.</p> <p>The facility allows inmates to have assistance filing a grievance related to sexual abuse or harassment. Third parties, fellow inmates, staff members, family members, attorneys, and outside advocates are permitted to assist inmates in filing a grievance. The alleged victim must agree to process the grievance filed on their behalf. An inmate's decision to decline the processing of the grievance will be documented.</p> <p>Emergency grievances are permitted if an inmate is subject to a substantial risk of imminent sexual abuse. Upon receipt of an emergency grievance, the facility will immediately forward the grievance to the Jail Administrator or other administrative team member for immediate corrective action. The Jail Administrator or designee will provide an initial response within forty-eight hours and a final decision within five calendar days.</p> <p>Facility policy #18.05 states disciplinary action will be initiated against an inmate who files a grievance related to alleged sexual abuse when it is determined that the grievance was filed in bad faith.</p>

115.53	Inmate access to outside confidential support services
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1414 539">The facility has entered into a Memorandum of Understanding (MOU) with the Violence Intervention Project (VIP) http://www.violenceintervention.org/ located in Thief River Falls, MN, to provide emotional support services to inmates. Contact information for these services is outlined in the inmate handbook and posted throughout the jail.</p> <p data-bbox="256 580 1461 779">Inmates are informed that the telephone number is programmed into the inmate telephone system as a free private call. Consular notification information is listed in the inmate handbook. Eight inmates interviewed knew there were services available or didn't know there were services available; two inmates knew there were advocacy groups available, and the hotline was a free private call.</p> <p data-bbox="256 819 959 855">The facility maintains a copy of the MOU with VIP.</p>

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The facility has established a method for receiving third-party reports of sexual abuse and sexual harassment of inmates. Information on how to report is posted on the Agency's website: https://www.penningtonsheriff.org/index.php/prea

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Facility policy #18.06 outlines the procedures and expectations that all staff immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse, harassment, or retaliation against staff and inmates and any staff neglect or violation of responsibilities contributed to an incident. All staff interviewed understood their reporting responsibilities and were confident that Administrative staff would take all allegations of sexual abuse and harassment seriously and that every allegation would be investigated.</p> <p>The eight staff interviewed would follow the policy and immediately report any information directly to a Sergeant or follow the chain of command if a Sergeant isn't available.</p> <p>The medical assessment form has questions related to sexual abuse that inmates are asked by medical staff. Medical staff interviewed said before starting the assessment, the inmate is advised about their duty to report and the limitations of confidentiality. Medical staff is required to report sexual abuse that occurred in a confinement facility.</p> <p>If the alleged victim is under eighteen or considered a vulnerable adult under State or local vulnerable person statutes, the Sheriff and Jail Administrator said the allegation would be reported to the appropriate human services agency.</p> <p>The Jail Administrator verified all allegations of sexual abuse and harassment, including third-party and anonymous reports, are reported to the licensed investigator for allegations that appear criminal or facility investigator for administrative allegations.</p>

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>In the past twelve months, the facility reported that there had been zero instances where the facility determined an inmate was subject to a substantial risk of imminent sexual abuse.</p> <p>I received a consistent answer during the interviews with the Sheriff, Jail Administrator, and staff that the safety of the inmates is the number one priority, and staff would immediately move the inmate from the situation.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility reports zero allegations of sexual abuse from another confinement facility and zero allegations of sexual abuse the facility has received that an inmate was abused while confined at another facility.</p> <p>Facility policy #18.06 outlines the reporting requirements of this standard.</p> <p>The Sheriff and Jail Administrator confirmed that any allegation received by an inmate being abused in another confinement facility would immediately be reported to the appropriate Agency. An allegation received from another Agency that an inmate reported they were sexually abused or harassed in Pennington County would be immediately referred to an investigator.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility reports one allegation of inmate sexual abuse in the past twelve months. A criminal investigation was completed, and the investigator found the allegation unfounded.</p> <p>Facility policy #18.06 outlines the responsibilities of staff who are first to respond to an allegation of sexual abuse. The policy contains all the required elements of this standard. The facility has a First Responder Checklist and a Supervisory Checklist that staff completes when responding to an allegation of sexual abuse. Eight staff interviewed were able to explain their responsibilities as the first responder. The facility has a PREA binder available at the officer's workstation.</p> <p>Medical staff would immediately contact a Sergeant. Policy #18.06 states that if the first responder is not a corrections staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence and promptly notify correction staff.</p>

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility has developed a first responder checklist and a supervisory checklist for sexual abuse and sexual harassment responses. Facility policy #18.06 outlines the responsibilities of first responders, #18.07 outlines who is responsible for investigations, and #18.08 outlines the duties of medical staff. The facility needs an individual plan that coordinates all the actions of the command staff, first responders, investigators, and medical and mental health staff.</p> <p>To comply with this standard, the facility should develop an action plan to coordinate actions and responsibilities among command staff, first responders, investigators, and medical and mental health staff in response to an incident of sexual abuse.</p> <p>The facility provided a copy of a Coordinated Response Plan that coordinates the actions of the command staff, first responders, investigators, and medical and mental health staff in response to an incident of sexual abuse.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The Agency entered a new collective bargaining agreement in 2021. The Sheriff confirmed that the Agency maintains the authority to place staff on administrative leave pending the final disposition of an investigation or determine whether and to what extent discipline will be imposed.

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility reports there have been zero incidents of retaliation reported, known, or suspected in the past twelve months. Facility policy #18.06 ensures that inmates and staff members who report sexual abuse or harassment or cooperate with sexual abuse or harassment investigations shall be protected from retaliation by other inmates or staff.</p> <p>The Jail Administrator is designated as the officer responsible for monitoring retaliation that involves staff, and the Program Coordinator is designated as the officer responsible for monitoring retaliation that involves inmates. The Jail Administrator would monitor for retaliation against a staff member by reviewing negative discipline reports, post assignments, and interacting with staff on their shift. If retaliation is suspected, protective measures such as a shift change or disciplining staff retaliating against the staff member would be done. The Program Coordinator would meet with the inmate weekly and take protective measures such as moving the inmate to another unit, removing inmate abusers from contact with the victim, or post assignment changes for alleged staff abusers. Staff and inmates who fear retaliation would be offered emotional support services. Monitoring would continue for a minimum of ninety days and would be extended if necessary.</p> <p>The Sheriff and Jail Administrator clarified that retaliation would not be tolerated and that any individual who cooperated with an investigation and feared retaliation would be protected.</p>

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Facility policy #18.04 prohibits placing inmates at high risk for sexual victimization in involuntary segregated housing unless it has been determined that no alternatives exist to separate the inmate from likely abusers. The inmate may be placed in involuntary segregated housing for a period not exceeding twenty-four hours while the assessment is completed. The Jail Administrator confirmed that putting an inmate in involuntary segregated housing would only be used if no other housing alternatives were available.</p> <p>The Minnesota Department of Corrections 2911 administrative rules governing jails - rule (2911.2800) requires the facility have a written policy and procedure that whenever an inmate in administrative segregation is deprived of any usually authorized item or activity, a report of the action is made, and forwarded to the facility administrator or designee. The Jail Administrator and staff interviewed verified that inmates in segregated housing have access to programs, privileges, education, and work opportunities. The facility will document opportunities that have been limited, the reason, and the duration of limitations.</p> <p>Facility policy #18.04 states inmates shall be assigned to protective custody only until an alternative means of separation from likely abusers can be arranged. This classification shall not exceed thirty days unless exigent circumstances are present. The Jail Administrator and staff interviewed said that protective custody would only be used if no other housing alternatives were available.</p> <p>Suppose an inmate is placed in involuntary protective custody. In that case, the Jail Administrator or designee will document the basis for any safety concerns and why no alternative means of separation can be arranged.</p> <p>Facility policy #18.04 states inmates classified in protective custody for purposes of separation from likely abusers will be reevaluated weekly as part of the classification process.</p> <p>Paragraph (e) of this standard requires the facility to afford each inmate in protective custody a review every thirty days to determine whether there is a continuing need for the inmate's separation from the general population. The facility exceeds this standard for its policy, requiring weekly reviews as part of the classification process.</p>

115.71	Criminal and administrative agency investigations
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1481 584">Facility policy #18.07 requires an administrative investigation, criminal investigation, or both to be conducted for all allegations of sexual abuse and sexual harassment, including third-party or anonymous reports. The investigator stated an investigation would be initiated the same day, and the allegation would be treated the same as any criminal investigation. A substantiated allegation that appears to be criminal is referred to the County Attorney's Office for prosecution.</p> <p data-bbox="256 624 1469 1032">The PREA Coordinator conducts administrative investigations into sexual abuse and harassment allegations. Investigations are conducted by investigators who have received specialized training outlined in standard 115.34. Licensed investigators from the Sheriff's Office conduct criminal investigations. The licensed investigator interviewed has fifteen years of law enforcement experience and four years of investigation experience. The investigator, the Chief Deputy, explained the investigative process from initiating the investigation, collecting evidence, and interviewing the victim, perpetrator, and witnesses to completing the final report and determining the final disposition of the allegation. The investigator does consult with the County Attorney.</p> <p data-bbox="256 1072 1461 1270">Minnesota State Statute 611A.26.S.1 prohibits polygraph examinations on victims of sexual abuse as part of the condition for proceeding with the investigation, charging, or prosecution of such offenses. The investigator does not base the credibility of the victim, perpetrator, and witnesses on their status as inmates or staff members. The determination is based on the totality of the circumstances.</p> <p data-bbox="256 1310 1477 1467">Criminal and administrative investigations are documented and contain evidence collected, interviews, and any additional information pertinent to the investigation. Administrative investigations include assessing whether staff actions or failures to act contributed to the abuse.</p> <p data-bbox="256 1507 1418 1624">Facility policy #18.07 requires the facility to retain all written reports from administrative and criminal investigations as long as the alleged abuser is held or employed by the Agency, plus five years.</p> <p data-bbox="256 1664 1469 1736">The Sheriff, Jail Administrator, and Investigator confirmed that an investigation would be completed even if the staff member was no longer employed with the Agency.</p> <p data-bbox="256 1776 1153 1812">The Pennington County Sheriff's Office conducts investigations.</p>

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Facility policy #18.07 states that Pennington County shall impose no standard higher than a preponderance of evidence in determining whether sexual abuse or sexual harassment allegations are substantiated.</p> <p>The investigator does not impose a standard higher than a preponderance of the evidence to substantiate sexual abuse or sexual harassment allegations.</p>

115.73	Reporting to inmates
	<p data-bbox="256 188 986 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 264 560 300">Auditor Discussion</p> <p data-bbox="256 340 1458 501">Facility policy #18.07 requires an inmate to be informed whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following the completion of the investigation. One allegation of sexual abuse has been reported in the past twelve months.</p> <p data-bbox="256 542 1481 658">This paragraph is not applicable; the Pennington County Sheriff's Office conducts the investigations. Facility policy #18.07 outlines the information that would be provided to the inmate on the status of the accused staff member (as detailed in the standard.)</p> <p data-bbox="256 698 1449 770">Facility policy #18.07 outlines the information that would be provided to the inmate on the status of the accused staff member (as detailed in this standard.)</p> <p data-bbox="256 810 1449 927">Facility policy #18.07 outlines the information that would be provided to the inmate on the status of the alleged abuser if another inmate is accused (as detailed in this standard.)</p> <p data-bbox="256 967 1474 1128">Facility policy #18.07 stated any notifications and attempted notifications shall be documented in the jail management software. The inmate was told in person of the final disposition of the investigation. The in-person notification was documented in an email.</p>

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>In the past twelve months, the facility reports that zero staff members have been disciplined, terminated, or resigned before termination for violating Agency sexual abuse or sexual harassment policies.</p> <p>Facility policy #18.08 states staff shall be subject to disciplinary sanctions up to and including termination of employment for violating sexual abuse or sexual harassment policies.</p> <p>Facility policy #18.08 states termination shall be the presumptive disciplinary sanction for staff engaged in sexual abuse. The Sheriff and Jail Administrator take all reports of sexual abuse or sexual harassment.</p> <p>Facility policy #18.08 outlines the progressive discipline of staff members for violations of policies related to sexual abuse and sexual harassment (other than actually engaging in sexual abuse.)</p> <p>All staff terminations for violations of sexual abuse or harassment policies or resignations by staff that would have been terminated if not for their resignation will be reported to the law enforcement agencies and relevant licensing bodies unless the activity was not criminal.</p>

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion In the past twelve months, the facility reports zero contractors or volunteers reported to law enforcement or relevant licensing bodies for engaging in the sexual abuse of inmates. Facility policy #18.08 states any contract employee or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies and relevant licensing bodies unless the activity is not criminal. The Jail Administrator said any violation of sexual abuse or harassment policies by a contractor or volunteer would be investigated. The volunteer or contractor would be prohibited from future contact with inmates. There haven't been any volunteers in the building since March 2020.

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>In the past twelve months, the facility reported one allegation of sexual abuse filed, which was determined to be unfounded. The inmate was not disciplined for reporting the allegation.</p> <p>The facility has a formalized discipline plan for inmates, as outlined in facility policy 18.08 and the inmate handbook. The discipline plan includes due process and a fair hearing conducted by an impartial hearing committee.</p> <p>Disciplinary decisions are based on the nature and circumstances of the rule violated, the inmate's discipline history, and other inmates' sanctions imposed for comparable offenses.</p> <p>The Jail Administrator verified the disciplinary hearing committee considers whether an inmate's mental disabilities contributed to the conduct when determining sanctions.</p> <p>This paragraph is not applicable; the facility does not offer therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for abuse.</p> <p>As outlined in facility policy #18.08, inmates are not disciplined for sexual contact with a staff member unless there is a finding that the staff member did not consent to the contact.</p> <p>The facility prohibits sexual activity between inmates as outlined in facility policy #18.08 and the inmate handbook. There would be an investigation into the incident, and following the investigation, the facility would consider the activity sexual abuse if the facility determines the activity was coerced.</p>

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Staff responsible for risk screening confirmed inmates who disclose any prior sexual victimization during the risk assessment are offered follow-up meetings with medical and mental health practitioners. Inmates referred to medical for a follow-up meeting are seen within fourteen days. A review of records verified inmates who disclosed victimization and accepted a follow-up meeting were seen within fourteen days.</p> <p>Information about sexual victimization in an institutional setting is limited to medical and mental health staff and other jail staff as necessary for security or management decisions. Medical staff would report information related to the sexual victimization of an inmate to the Sergeant on duty or jail administration.</p> <p>Medical staff completes a fourteen-day medical assessment form. At the start of the assessment, inmates are advised of the medical provider's limits of confidentiality as mandated reporters. There is a question related to prior sexual victimization. If an inmate answers "yes" to a question, the medical provider follows a decision tree to determine their reporting responsibilities.</p>

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Inmate victims of sexual abuse will be transported to Sanford Medical Center in Thief River Falls, Minnesota, for timely, unimpeded access to emergency medical treatment, evidence collection, and crisis intervention services. The nature and scope of services provided to the inmate will be determined by the professional judgment of the medical and mental health practitioners. To date, a sexual abuse allegation has not been reported from an inmate at the facility.</p> <p>Facility policy #18.06 outlines the duties of the first responders. Facility policy #18.09 requires staff first responders to take preliminary steps to protect the victim and notify the Sergeant to coordinate medical and mental health services.</p> <p>Inmates would be offered timely access to emergency contraception and sexually transmitted prophylaxis as part of the forensic medical examination. Medical staff confirmed they would follow up with the inmate to provide ongoing medical and mental health care.</p> <p>Facility policy #18.09 says ongoing treatment services shall be provided without financial cost to the victim regardless of whether they cooperate with an investigation arising out of the incident.</p>

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility contracts with MEnD Correctional Care to provide medical and mental health services in the facility. The contract includes a medical provider, RN nursing services, and telemedicine mental health.</p> <p>Inmates are asked about prior sexual victimization during the initial medical assessment. During the initial health assessment, the inmate is asked if they have been a victim of sexual abuse. Inmates that disclose prior victimization are offered a follow-up meeting with medical and mental health providers.</p> <p>The medical staff interviewed confirmed that follow-up services, treatment plans, and referrals to specialty appointments would be provided as appropriate to the inmate. Information for continued care would be sent with an inmate transferring to another facility.</p> <p>Community level of care is provided to the inmates. In some instances, inmates have more immediate access to medical and mental health services.</p> <p>Medical staff confirmed pregnancy tests would be offered to female inmate victims of sexual abuse.</p> <p>Facility policy #18.09 states if pregnancy results from sexually abusive penetration while incarcerated, such victims shall receive timely and comprehensive information about and access to all legal pregnancy-related medical services in a timely manner.</p> <p>Medical staff confirmed that inmate victims of sexual abuse would be offered testing, treatment, and information for sexually transmitted infections.</p> <p>Policy #18.09 states treatment services shall be provided to the victim without financial cost, regardless of whether the victim names the abuser or cooperates with an investigation.</p>

115.86	Sexual abuse incident reviews
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 264 558 300">Auditor Discussion</p> <p data-bbox="256 340 1484 461">The facility reports zero allegations of sexual abuse in the past twelve months. Facility policy #18.10 includes that an incident review will be conducted after every sexual abuse investigation with a final disposition of substantiated or unsubstantiated.</p> <p data-bbox="256 501 1468 694">Facility policy #18.10 states the review shall ordinarily occur within thirty days of the conclusion of the investigation. The facility has not had any substantiated or unsubstantiated allegations of sexual abuse. The Jail Administrator confirmed that an incident review would be conducted on sexual abuse investigations with a final disposition of substantiated or unsubstantiated.</p> <p data-bbox="256 734 1449 927">The Jail Administrator said that the incident review team comprises himself, the Assistant Jail Administrator, and the Program Coordinator. Additionally, the investigator, nurse, and Sergeants would be part of the team. The Jail Administrator confirmed the incident review team would consider items (1)-(6) outlined in paragraph (d) of this standard.</p> <p data-bbox="256 967 1484 1043">The Jail Administrator would consult with the Sheriff on any team recommendations. If any recommendations are not implemented, the reason will be documented.</p>

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility collects accurate, uniform data for every allegation of sexual abuse and harassment using a standardized instrument and a set of definitions. Sexual abuse data is reviewed annually and includes the data necessary to answer all the questions on the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.</p> <p>The facility maintains, reviews, and collects data from incident-based documents. The facility does not contract for the confinement of its inmates.</p> <p>The Department of Justice did not request Agency data for 2021.</p>

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility reviews sexual abuse data annually for ongoing improvement and any corrective action that should be implemented. The facility prepares an annual report comparing the current year's and previous years' data and an assessment of its progress in addressing sexual abuse and harassment. The facility redacts all personal information from the report and includes the nature of the information redacted.</p> <p>The Sheriff approves the annual report and publicly distributes it on the Agency's website: https://www.penningtonsheriff.org/index.php/prea</p>

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Jail Administrator securely maintains documentation on a secured computer drive; hard copies are secured in a locked cabinet in the Jail Administrator's office. Access is limited to the Jail Administrator.</p> <p>The facility makes all aggregated sexual abuse available on the Agency's website: https://www.penningtonsheriff.org/index.php/prea. All personal identifiers are removed before making the information public.</p> <p>Facility policy #18.10 requires all sexual abuse data to be maintained for at least ten years and the initial collection date unless prohibited by Federal, State, or local laws.</p>

115.401	Frequency and scope of audits
	<p data-bbox="280 188 1007 224">Auditor Overall Determination: Meets Standard</p> <p data-bbox="280 264 580 300">Auditor Discussion</p> <p data-bbox="280 340 1449 542">The Agency operates one facility and scheduled the current audit to be completed during the first year of the current and future audit cycles. This is the Pennington County Jail's third PREA Audit; on June 30, 2020, the facility was in full compliance with the PREA standards. The previous two audits were conducted during the third year of the audit cycle.</p> <p data-bbox="280 580 1406 739">I was given full access to the facility. I met with staff and inmates without interference, observed the booking process, and talked to staff and inmates informally during the onsite audit. I was permitted to move independently to all areas of the facility.</p> <p data-bbox="280 777 1453 1061">The facility provided additional documentation that was requested. PREA audit posters in English and Spanish were posted six weeks before the audit throughout the facility. The PREA Coordinator confirmed the audit notices were posted via email, and inmates confirmed the audit notices were posted well in advance of the audit. This auditor's name and address were visible on the audit notices. This auditor did not receive any confidential correspondence throughout the audit process.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The Agency has its final PREA audit report from 2020 published on its website. The contract agreement requires the facility to post this final audit report within ninety days of receiving the final report. A reminder to post the final audit report within ninety days is included in the email to which the final audit report is attached.

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 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	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.)	na
	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.)	na
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.)	na

115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need	no

	for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	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.)	na
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).)	yes
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).)	yes
	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).)	yes
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).)	yes
	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).)	yes
	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).)	yes
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, except in exigent circumstances? (N/A if the facility does not have female inmates.)	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 if the facility does not have female inmates.)	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 (N/A if the facility does not have female inmates)?	yes
115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies 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 have procedures 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 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?	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 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	yes

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	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 who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether 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.)	na
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? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	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 agency 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 always makes a victim advocate from a rape crisis center available to victims.)	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 the policy 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).)	yes
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 the comprehensive education referenced in 115.33(b)?	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 receive 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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	no
	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	no
	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	no
	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	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 or the agency does not employ medical staff.)	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	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? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	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, as 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, as 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, as 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 an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to 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? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	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? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	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? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	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 any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	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? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
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.	no

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? (N/A if the facility never has persons detained solely for civil immigration purposes.)	na
	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?	no

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?	no
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	
	If the agency prohibits all sexual activity between 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? (N/A if the facility is not a prison).	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? (N/A if the facility is not a jail).	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. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	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. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	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
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	no

115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a “no” response does not impact overall compliance with this standard.)	yes
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
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

115.403 (f)	Audit contents and findings	
	<p>The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)</p>	yes