

PREA Facility Audit Report: Final

Name of Facility: Bottineau County Detention Center

Facility Type: Prison / Jail

Date Interim Report Submitted: 08/25/2019

Date Final Report Submitted: 03/23/2020

| 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: Candace L. Snyder | Date of Signature: 03/23/2020 |

| AUDITOR INFORMATION | |
|-------------------------------------|-----------------|
| Auditor name: | Snyder, Candy |
| Address: | |
| Email: | Snyder@gwtc.net |
| Telephone number: | |
| Start Date of On-Site Audit: | 07/11/2019 |
| End Date of On-Site Audit: | 07/12/2019 |

| FACILITY INFORMATION | |
|-----------------------------------|---|
| Facility name: | Bottineau County Detention Center |
| Facility physical address: | 314 5th St W, 314 5th St W, Bottineau, North Dakota - 58318 |
| Facility Phone | 701-228-2740 |
| Facility mailing address: | |

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| Primary Contact | |
|--------------------------|------------------------------------|
| Name: | Shannon Goodwin |
| Email Address: | Shannon.goodwin@co.bottineau.nd.us |
| Telephone Number: | 701-228-2740 |

| Warden/Jail Administrator/Sheriff/Director | |
|---|---------------------------------|
| Name: | Sheriff Steve Watson |
| Email Address: | Steve.watson@co.bottineau.nd.us |
| Telephone Number: | 701-228-2740 |

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

| Facility Health Service Administrator On-site | |
|--|---------------------------|
| Name: | St. Andrews Health Center |
| Email Address: | |
| Telephone Number: | 701-228-9300 |

| Facility Characteristics | |
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| Designed facility capacity: | 26 |
| Current population of facility: | 6 |
| Average daily population for the past 12 months: | |
| Has the facility been over capacity at any point in the past 12 months? | No |
| Which population(s) does the facility hold? | |
| Age range of population: | |
| Facility security levels/inmate custody levels: | Minimum |
| Does the facility hold youthful inmates? | No |
| Number of staff currently employed at the facility who may have contact with inmates: | 12 |
| Number of individual contractors who have contact with inmates, currently authorized to enter the facility: | |
| Number of volunteers who have contact with inmates, currently authorized to enter the facility: | |

| AGENCY INFORMATION | |
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| Name of agency: | Bottineau County Sheriff's Department |
| Governing authority or parent agency (if applicable): | |
| Physical Address: | 314 5th St W, Bottineau, North Dakota - 58318 |
| Mailing Address: | |
| Telephone number: | 7012282740 |

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

| Agency-Wide PREA Coordinator Information | | | |
|---|-----------------|-----------------------|------------------------------------|
| Name: | Shannon Goodwin | Email Address: | shannon.goodwin@co.bottineau.nd.us |

AUDIT FINDINGS

Narrative:

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

The audit of the Bottineau County Correctional Center in Bottineau, North Dakota was conducted on July 11 and July 12, 2019 by Candy Snyder, a Certified PREA auditor and assisted by Mark Snyder, an auditing assistant.

An entrance meeting was held with Sheriff Steve Watson and PREA Coordinator Shannon Goodwin. The Assistant Jail Supervisor Tanner Hellenbrand was not available during the on-site portion of the audit, but was interviewed telephonically at a later date. Following the entrance meeting the PREA Coordinator accompanied the audit team on the facility tour. The auditor then began interviewing specialized staff. Private accommodations were made for the auditor to conduct interviews. The PREA Coordinator provided a listing of all inmates. The auditor interviewed all inmates as the population was six (6) inmates total. There were no hearing/visually impaired inmates, no non-English speaking nor inmates who identified as lesbian, gay, transgender or intersex. The auditor was provided a shift roster and interviewed all staff on all shifts during the on-site audit. The auditor was not limited in any way from speaking with staff or inmates or inspecting any area of the facility. All staff were extremely polite and accommodating throughout the audit. In addition, the auditor reviewed employment files and training files. There were no incidents to be investigated and therefore no investigative files to review.

An exit briefing was held with the Sheriff and the PREA Coordinator. The auditor provided a preliminary finding of each standard with the caveat that this was subject to change as the auditor continued to review documents, may have questions to be answered and prepares the interim report. The auditor thanked them for their hard work and their commitment to follow the Prison Rape Elimination Act.

AUDIT FINDINGS

Facility Characteristics:

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

The Bottineau County Correctional Center is a new facility with construction completed in June 2017. Co-located with the jail includes the Sheriff's Department and Dispatch. The facility intake area consists of a vehicle entrance, intake area and locker room for change out and search upon arrival, property storage, four holding cells, small prep/holding kitchen (meals are catered in by the University kitchen) and a multipurpose/exam room. The county previous to their new construction had a contract with the Heart of America Correctional and Treatment Center in Rugby, North Dakota for the confinement of their inmates. However, they no longer have a need to have inmates held in a contracted facility.

The jail is comprised of a control room, recreation area and four housing areas. Unit A is comprised of two wet, double bunked cells, a private shower room and a shared dayroom with a maximum occupancy of two inmates per cell for a total of four inmates. Unit B is comprised of two wet, double bunked cells, a private shower room and a shared dayroom with a maximum occupancy of two inmates per cell for a total of four inmates. Unit C is comprised of three wet, double bunked cells, a private shower room and a shared dayroom with a maximum occupancy of two inmates per cell for a total of six inmates. Unit D is comprised of four wet, double bunked cells, a private shower room and a shared dayroom with a maximum occupancy of two inmates per cell for a total of eight inmates. The design of the jail allows for all inmates to have adequate privacy for showering, toileting and changing their clothing.

There are 40 cameras throughout the facility. There are no cameras within the individual cells with the exception of the holding cells in the booking area. There are no cameras that can view a shower or toilet area. The DVRS records a minimum of 90 days and is located within a utility room in the sheriff's office area with limited access. There is also an intercom system that control can listen to the housing area and the inmate can call for assistance. The master control room operator controls the entrance and exit of doors throughout the jail. All inmates eat meals within the day room of their unit.

The inmates are housed based upon needs and their respective level of classification. All inmates are supervised by well-trained Corrections Officers.

AUDIT FINDINGS

Summary of Audit Findings:

The OAS will automatically calculate the number of standards exceeded, number of standards met, and the number of standards not met based on the auditor's compliance determinations. If relevant, the auditor should provide the list of standards exceeded and/or the list of standards not met (e.g. Standards Exceeded: 115.xx, 115.xx..., Standards Not Met: 115.yy, 115.yy).

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.

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| Number of standards exceeded: | 0 |
| Number of standards met: | 45 |
| Number of standards not met: | 0 |

Standard 115.13 Supervision and monitoring

CORRECTIVE ACTION: The auditor required documented evidence of an annual assessment to determine whether adjustments are needed to the management of the jail in relation to staffing levels, assignments and monitoring technology. In addition, the auditor required a printed copy of the jail log in which they have pulled all unannounced rounds by supervisory staff that shows the practice implemented for night shifts as well as day shifts.

The auditor reviewed the documentation that the facility provided. The facility provided documents as requested by the auditor to include their current staffing plan as well as Zuercher logs for unannounced rounds by supervisory staff.

Standard 115.15 Limits to cross gender viewing and searches

CORRECTIVE ACTION: In order to meet this standard the auditor required the Bottineau County Jail provide the auditor verification through a report from the jail management system documentation of exigent circumstances such as the need for a cross gender search, the inadvertent viewing of an inmate in a state of undress or if there are female inmates in custody and/or there is not a female officer on the schedule. As they state they have not had any exigent circumstances and may not have any exigent circumstances to record during the corrective action period, the auditor recommends an exigent code entry with the words "Test Entry-no exigent circumstances to report".

The Bottineau County Jail has had no exigent circumstances. They provided a Zuercher log for 10/29/19 as requested by the auditor to verify they have a system in place to record such incidents if they occur.

Standard 115.16 Inmates with disabilities and inmates who are limited English proficient

CORRECTIVE ACTION: In order to comply with this standard, the auditor required that the facility provide documented evidence of strengthened training in regard to an interpretive service. In addition, the auditor required items such as posted notices, photographs of posted notices or post orders that are readily available for staff future reference on how to access an interpretive service for all languages including sign-language.

The Bottineau County jail contracted with Telelanguage for interpretive service. They provided information as requested by the auditor to include a photo of instructions for staff on how to use the Telelanguage contract for interpretive services.

Standard 115.17 Hiring and promotion decisions

CORRECTIVE ACTION: In order to comply with this standard the auditor required that the facility provide an outline to the auditor through physical documentation their developed processes for asking questions during the hiring and promotion process regarding previous sexual misconduct. They must provide to the auditor acknowledgement forms of employees continuing duty to report any sexual misconduct. These questions must be asked again of each employee during their annual review process. They must provide the auditor a method for checking with previous institutional employers regarding substantiated allegations of sexual abuse.

The Bottineau County Jail provided their form titled “Bottineau County Correctional Center Sexual Misconduct Questionnaire for Previous Institution Employers” that includes all questions required of the standards. In addition, they provided the form for staff that specifically asks them the three required questions about sexual misconduct as well an acknowledging statement that they have a continuing duty to disclose any sexual misconduct throughout the terms of their employment which the employee must sign. They also provided the completed and signed forms for all current employees.

Standard 115.22 Policies to ensure referrals of allegations for investigations

CORRECTIVE ACTION: In order to meet this standard, the auditor required the Bottineau County Jail publish the investigative policy on the Bottineau County Jail website. The auditor required that the jail more clearly define the investigator roles in its PREA policy investigations section to state when a potential criminal investigation would be investigated by the Sheriff’s office and when they would be investigated by BCI.

The facility posted on its website the investigative policy that includes who is responsible for conducting the investigation. <https://www.bottineauco.com/sheriff>. The PREA Coordinator, who is their administrative investigator, completed the National Institute of Corrections course PREA: Investigating Sexual Abuse in a Confinement Setting and provided a copy of her training certificate to the auditor.

Standard 115.31 Employee training

Corrective Action: In order to comply with this standard, the auditor required training certificates for employee training or a signed verification of training on the 10 basic required components in the training standard. The auditor suggested that a form be used stating the specific requirements lettered (1) through (10) in Standard 115.31 on a training acknowledgment form that is signed and that any future training offered have a brief summary of the type of training, the curriculum used and verified by signature with a statement acknowledging understanding. The Bottineau County Jail provided documented employee training as requested. In addition, the PREA Coordinator outlined her plans for continuing PREA education to the staff.

Standard 115.32 Volunteer and contractor training

CORRECTIVE ACTION: Although the facility has no medical staff, there is a doctor who comes into the facility from the local hospital for the sole purpose of conducting 14-day intake physicals. As per his contract, he always has an officer present while in the facility. The auditor required that the facility provide basic PREA training to this contracted medical provider to include the facility's zero tolerance policy on sexual abuse and sexual harassment and that it is mandatory that the medical provider report any knowledge of sexual abuse or sexual harassment that occurred within the facility to the Jail Administrator. The Bottineau County Jail provided training to the contracted medical provider as requested by the auditor and verified through training documentation.

Standard 115.34 Specialized training: Investigations

CORRECTIVE ACTION: The auditor required that an administrative investigator complete investigative training specific to investigation within a confinement setting such as the course offered by the North Dakota Department of Corrections and Rehabilitation or the National Institute of Corrections course PREA: Investigating Sexual Abuse in a Confinement Setting. The facility stated that the Assistant Jail Supervisor and the PREA Coordinator are to be their designated administrative investigators. The auditor recommended that both participate in one of the recommended training courses. Training documentation of this specialized training must be provided to the auditor.

The PREA Coordinator, who is an administrative investigator for the facility, completed the National Institute of Corrections course PREA: Investigating Sexual Abuse in a Confinement Setting and provided the auditor with the training certificate.

Standard 115.41 Screening for risk of victimization and abusiveness.

CORRECTIVE ACTION: The auditor required the Bottineau County Jail devise a method of a follow-up screening process that occurs within 30 days following an inmate's arrival.

The facility provided documentation of their 30-day follow-up risk assessment and review for any additional information since the initial intake screening.

Standard 115.65 Coordinated Response Plan

CORRECTIVE ACTION: In order to comply with this standard, the auditor required that the policy more specifically state which hospital is used for emergent care and which hospital is used for the forensic exam. In addition, the policy must state if an advocate from the Family Crisis Center will accompany the victim to the hospital in Minot or if the facility will use the services of an advocate from the Domestic Violence Crisis Center in Minot. If the services of an advocate from Minot will be used, an MOU with this facility should be obtained.

The facility provided their policy which clarified that emergency services will be performed at St. Andrews Hospital and if the inmate agrees to a forensic examination, they will be transported to Trinity Hospital in Minot. The auditor spoke with the Domestic Violence Crisis Center in Minot. They verified that if an inmate goes to Minot, they do provide services to the inmate. The facility also provided an MOU with the Bottineau Family Crisis Center who will provide all follow-up counseling services if requested by the inmate.

Standard 115.73 Reporting to inmates

CORRECTIVE ACTION: The auditor required a sample of the form the facility will use to document that the inmate was provided the outcome of the investigation.

The facility has had no incidents to report back to inmates but did provide to the auditor their form "Bottineau County Correctional Center Report of Investigative Outcome to Inmate".

Standard 115.86 Sexual abuse incident reviews

CORRECTIVE ACTION: The auditor required a sample of the form the facility will use to document that an incident review was conducted and that all the required questions are included on the form such as motivation, adequate staffing levels, monitoring technology and whether there are any recommendations for improvement.

The facility has had no incidents in which to conduct an incident review but did provide to the auditor their form "Bottineau County Correctional Center Sexual Incident Review Form" that will be used in the event of a sexual assault incident.

Standard 115.88 Data Review for Corrective Action

CORRECTIVE ACTION: In order to meet this standard, the auditor required that the Bottineau County Jail assess their efforts for effectiveness, prepare their annual report and post the annual report on their website.

The auditor verified through viewing the Bottineau County Sheriff's office website that they posted both their 2018 and 2019 Annual Reports.

Standard 115.89 Data storage, publication and destruction

CORRECTIVE ACTION: In order to comply with this standard the auditor required that aggregated sexual abuse data be made readily available to the public at least annually through its website.

The auditor verified through viewing the Bottineau County Sheriff's office website that they posted both their 2018 and 2019 Annual Reports which included aggregate data.

| Standards | |
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| Auditor Overall Determination Definitions | |
| <ul style="list-style-type: none"> • 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 | |
| <p>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.</p> | |

| 115.11 | Zero tolerance of sexual abuse and sexual harassment; PREA coordinator |
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| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The Bottineau County Jail has a very thorough policy. The policy follows the guidelines of the PREA standards and they have appointed a PREA Coordinator who has been working to ensure that every standard is addressed. She has the authority to develop and oversee the efforts of the facility to prevent, detect, and respond to sexual abuse and sexual harassment. The PREA Coordinator with the support of the Sheriff and the Assistant Jail Administrator have been committed to implementing PREA standards into the jail.</p> |

| 115.12 | Contracting with other entities for the confinement of inmates |
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| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The Bottineau County Jail does not contract with other entities for the confinement of inmates.</p> |

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| 115.13 | Supervision and monitoring |
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| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |

The auditor reviewed the Bottineau County Jail policy, the organization structure, verified the staffing levels through the schedule that was provided and verified through direct observation while on the facility tour. The Bottineau County Jail has strong, consistent leadership and a positive culture. The inmate interviews consistently reinforced this positive culture. The Bottineau County Jail is a very small, newly constructed jail. The Sheriff directly oversees the jail operations and is assisted by the Assistant Jail Administrator and the PREA Coordinator. There are eight correctional officers and two part time correctional officers. They require at a minimum staffing level two officers on duty each 12-hour shift. When female inmates are in custody they require one male and one female officer on duty.

The management staff stated they come in frequently to conduct unannounced rounds to observe operations. The auditor viewed the electronic jail log to confirm an example entry. The log shows that the sheriff enters the jail very frequently, but it is not specifically documented as an unannounced round, just that his badge accessed the door. They are unable to pull up specifically these visits as unannounced rounds in the jail management system. A person would have to read all chronological log entries to find these instances when the Sheriff, the Assistant Jail Administrator or the PREA Coordinator come in. The auditor recommends that they use the jail management system log with a code unique to unannounced rounds. They stated that possibly they could have a daggy (the device used to record a round on the guard tour system) that is specifically used by administrators for unannounced rounds. This way they will be able to report the unannounced round and be able to pull up a report by that category to use when they complete their annual assessment. Their policy prohibits staff from alerting other staff members that these supervisory rounds are occurring. There are multiple cameras throughout the facility that are monitored both in the correctional control room staff and the law enforcement dispatch staff. Camera systems can be viewed by the Sheriff, the Chief Deputy and the Assistant Jail Administrator as well.

The jail has not completed an annual assessment to assess, determine, and document whether adjustments are needed. Although there are no documented incidents of falling below their minimum staffing levels, it is a very small facility with a very small workforce to allow for 24-hour coverage. It appears to the auditor that sometimes it is difficult to fill all shifts when there are vacancies due to resignations, vacations or sick leave. The auditor recommends that they evaluate if at least one more officer be added to their staffing level.

CORRECTIVE ACTION: The auditor required documented evidence of an annual assessment to determine whether adjustments are needed to the management of the jail in relation to staffing levels, assignments and monitoring technology. In addition, the auditor required a printed copy of the jail log in which they have pulled all unannounced rounds by supervisory staff that shows the practice implemented for night shifts as well as day shifts.

The auditor reviewed the documentation that the facility provided. The facility provided documents as requested by the auditor to include their current staffing plan as well as Zuercher logs for unannounced rounds by supervisory staff.

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| 115.14 | Youthful inmates |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The Bottineau County Jail does not house youthful inmates. |

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| 115.15 | Limits to cross-gender viewing and searches |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>Bottineau County Jail prohibits cross gender searches of inmates. There are female staff on duty to conduct searches of new female admissions in booking. All interviews with both inmates and staff confirmed the practice. If a female staff is not scheduled, the administrative officer is called in to fill that role. The facility prohibits examination for the sole purpose of determining gender and staff are knowledgeable of correct search procedures for transgender or intersex inmates. If the offender’s genital status is unknown, it is determined during conversations with the offender, 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. Staff are trained in cross-gender searches and were able to demonstrate the correct search procedure to the auditor. The facility does not conduct cross gender strip or pat down searches, but policy requires that if this to occur to document it with justification. The facility did not have a method of retrieving documentation for exigent circumstances such as this. They stated they can create a code within their jail management system for any exigent circumstances. To be clear, there have not been any of these types of searches of offenders and this was verified by interviews with inmates.</p> <p>The facility has policies and procedures and physical construction of housing areas that enable offenders to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing them in a state of undress. Such policies and procedures require staff of the opposite gender to announce their presence when entering an offender housing unit. Inmates shower in private shower stalls to provide privacy and to prevent observation by staff of the opposite gender or casual observers. Based on agency staff interviews, inmate interviews and direct observation by the auditor, all staff members of the opposing gender consistently announce their presence when entering units where the probability exists that the inmate may be showering, changing clothes or toileting.</p> <p>CORRECTIVE ACTION: In order to meet this standard the auditor required the Bottineau County Jail provide the auditor verification through a report from the jail management system documentation of exigent circumstances such as the need for a cross gender search, the inadvertent viewing of an inmate in a state of undress or if there are female inmates in custody and/or there is not a female officer on the schedule. As they state they have not had any exigent circumstances and may not have any exigent circumstances to record during the corrective action period, the auditor recommends an exigent code entry with the words “Test Entry-no exigent circumstances to report”.</p> <p>The Bottineau County Jail has had no exigent circumstances. They provided a Zuercher log for 10/29/19 as requested by the auditor to verify they have a system in place to record such incidents if they occur.</p> |

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| 115.16 | Inmates with disabilities and inmates who are limited English proficient |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The Bottineau County Jail uses border patrol agents who speak Spanish and sign-language interpreters or interpreters for inmates who are limited English proficient that are provided through the court system. During the onsite portion of the audit the Sheriff was the only one who really new the ability to use the services through the court system. At the time of the on-site portion of the audit there were no inmates who needed assistance. The staff assist visually impaired or those with intellectually impairments by verbally going over the material or providing assistance in a manner they are able comprehend.</p> <p>CORRECTIVE ACTION: In order to comply with this standard, the auditor required that the facility provide documented evidence of strengthened training in regard to an interpretive service. In addition, the auditor required items such as posted notices, photographs of posted notices or post orders that are readily available for staff future reference on how to access an interpretive service for all languages including sign-language.</p> <p>The Bottineau County jail contracted with Telelanguage for interpretive service. They provided information as requested by the auditor to include a photo of instructions for staff on how to use the Telelanguage contract for interpretive services.</p> |

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| 115.17 | <p data-bbox="240 91 1503 1727">Hiring and promotion decisions</p> <p data-bbox="240 172 1503 241">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 241 1503 315">Auditor Discussion</p> <p data-bbox="240 315 1503 1003">In regard to law enforcement background checks, all Bottineau County Jail correctional staff are required to be certified operators to use the North Dakota Criminal Justice Information Sharing (CJIS) system through the North Dakota Attorney General’s office. In order to gain operator status all staff undergoes a law enforcement background check. The following statement is from the AGREEMENT FOR ELECTRONIC ONLINE ACCESS TO NORTH DAKOTA CRIMINAL JUSTICE INFORMATION SHARING (ND CJIS). “All users of ND CJIS must have been subject to a favorably-adjudicated, fingerprint-based background check prior to being granted Access to ND CJIS. This fingerprint based background check must be renewed every five (5) years.” The Sheriff provided a signed statement verifying their requirement that all staff are certified CJIS operators. The Bottineau County Jail were not asking the required questions within their hiring process or promotions regarding any previous sexual misconduct. Also, the newly hired or promoted employees were not acknowledging that they have a continuing duty to report. The facility was not asking all previous institutional employers specifically about substantiated allegations of sexual abuse.</p> <p data-bbox="240 1003 1503 1346">CORRECTIVE ACTION: In order to comply with this standard the auditor required that the facility provide an outline to the auditor through physical documentation their developed processes for asking questions during the hiring and promotion process regarding previous sexual misconduct. They must provide to the auditor acknowledgement forms of employees continuing duty to report any sexual misconduct. These questions must be asked again of each employee during their annual review process. They must provide the auditor a method for checking with previous institutional employers regarding substantiated allegations of sexual abuse.</p> <p data-bbox="240 1346 1503 1727">The Bottineau County Jail provided their form titled “Bottineau County Correctional Center Sexual Misconduct Questionnaire for Previous Institution Employers” that includes all questions required of the standards. In addition, they provided the form for staff that specifically asks them the three required questions about sexual misconduct as well an acknowledging statement that they have a continuing duty to disclose any sexual misconduct throughout the terms of their employment which the employee must sign. They also provided the completed and signed forms for all current employees.</p> |
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| 115.18 | Upgrades to facilities and technologies |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The auditor reviewed the Bottineau County Jail policy, video monitoring systems, directly observed all areas of the facility and conducted interviews with the administrative staff. The facility considers protection of inmates and the standards when contemplating upgrades to the facility or in the application of technology. This is a newly constructed jail and utilizes modern jail design to provide clear sight lines, video monitoring and an intercom system to both monitor activity within the housing area and provide a means for inmates to request assistance. |

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| 115.21 | Evidence protocol and forensic medical examinations |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The auditor reviewed the PREA policy and interviewed administrators, the PREA Coordinator and the special agent from the Bureau of Criminal Investigation (BCI). Victims of sexual abuse have access to forensic medical exams through Trinity Hospital Hospital in Minot. The auditor spoke with the SANE nurse and she confirmed SANE trained nurses will provide forensic sexual assault medical examinations. The facility has an MOU with Family Crisis Center for advocacy services. If law enforcement responds to a sexual assault case within the jail, evidence protocol is followed and they work cooperatively the SANE nurse to ensure all usable physical evidence is gathered. |

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| 115.22 | Policies to ensure referrals of allegations for investigations |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The facility refers all allegations for investigation. Investigations are completed by qualified investigators and required documentation and reporting will occur. Currently a Sheriff’s office investigator or a BCI agent would handle any investigations. The Bottineau County Jail ddi not have any trained administrative investigators. The auditor recommended that both the Assistant Jail Supervisor and the PREA Coordinator participate in investigative training specific to investigation within a confinement setting such as the course offered by the North Dakota Department of Corrections and Rehabilitation or the National Institute of Corrections course PREA: Investigating Sexual Abuse in a Confinement Setting. Criminal investigations involving staff-on-inmate sexual misconduct are investigated by an investigator from the North Dakota Bureau of Investigations. These steps need to be more clearly defined in the policy as there is no mention of BCI involvement.</p> <p>CORRECTIVE ACTION: In order to meet this standard, the auditor required the Bottineau County Jail publish the investigative policy on the Bottineau County Jail website. The auditor required that the jail more clearly define the investigator roles in its PREA policy investigations section to state when a potential criminal investigation would be investigated by the Sheriff’s office and when they would be investigated by BCI.</p> <p>The facility posted on its website the investigative policy that includes who is responsible for conducting the investigation. https://www.bottineauco.com/sheriff. The PREA Coordinator, who is their administrative investigator, completed the National Institute of Corrections course PREA: Investigating Sexual Abuse in a Confinement Setting and provided a copy of her training certificate to the auditor.</p> |

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| 115.31 | Employee training |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor interviewed the Sheriff, the Assistant Jail Supervisor, the PREA Coordinator and staff. Basic PREA training with staff was apparent during the interviews as staff were knowledgeable when interviewed in the required competencies such as the correct first responder response - separate, provide care, protect evidence, call for assistance, notify shift supervisor and provide a written report. The jail provided the auditor the Bottineau County Sheriff's Office Training Log that showed completed PREA training for all staff. However, they completed the NIC course "PREA for Community Confinement Facilities". A community confinement facility is a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community correctional facility. Although this course gave good basic PREA information, the standards for a community confinement facility are slightly different than those in a jail and this specific training does not delve deep enough into the role of a correctional officer in complying with PREA standards. Staff must be trained on PREA standards specific to jails. The NIC course "Your Role: Responding to Sexual Abuse" is a more appropriate basic PREA Course for jail employees.</p> <p>Most staff completed a PREA training component at Correctional Officer Basic School. However, the auditor was not provided training documentation or curriculums of the PREA component in CO Basic School to verify that this meets the requirements for PREA staff training. All staff signed an acknowledgment of PREA Compliance that provides the PREA standards definition of sexual abuse and sexual harassment and states that they have read and understand the jail's zero tolerance policy and the requirement to immediately report or any information or knowledge of sexual abuse or sexual harassment of an inmate. They have also all signed that they have watched the PREA Inmate Education video.</p> <p>Once a basic course is completed, the auditor recommended they continue building on their basic education by providing further training over the next few years on components such as units within the "PREA Employee Training" developed by the Moss Group that can be found on the PREA Resource Center website or other NIC trainings such as Communication effectively and professionally with LGBTI Offenders.</p> <p>Corrective Action: In order to comply with this standard, the auditor required training certificates for employee training or a signed verification of training on the 10 basic required components in the training standard. The auditor suggested that a form be used stating the specific requirements lettered (1) through (10) in Standard 115.31 on a training acknowledgment form that is signed and that any future training offered have a brief summary of the type of training, the curriculum used and verified by signature with a statement acknowledging understanding. The Bottineau County Jail provided documented employee training as requested. In addition, the PREA Coordinator outlined her plans for continuing PREA education to the staff.</p> |

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| 115.32 | Volunteer and contractor training |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The Bottineau County Jail does not utilize volunteers. The only contractor is the medical doctor who comes in to provide the intake physical to inmates within 14 days. The contractor is never out of the sight of a correctional officer. However, even under these circumstances basic PREA training should be provided to this contractor and documented. Other medical services are provided by transporting the inmate to the local clinic or hospital.</p> <p>CORRECTIVE ACTION: Although the facility has no medical staff, there is a doctor who comes into the facility from the local hospital for the sole purpose of conducting 14-day intake physicals. As per his contract, he always has an officer present while in the facility. The auditor required that the facility provide basic PREA training to this contracted medical provider to include the facility's zero tolerance policy on sexual abuse and sexual harassment and that it is mandatory that the medical provider report any knowledge of sexual abuse or sexual harassment that occurred within the facility to the Jail Administrator. The Bottineau County Jail provided training to the contracted medical provider as requested by the auditor and verified through training documentation.</p> |

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| 115.33 | Inmate education |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The Bottineau County Jail has implemented an inmate training program. The basic information is provided to an inmate during the intake process about the jail's zero tolerance policy and how to report. Inmates sign an orientation form that stated they were provided this information and a pamphlet. Within 30 days of arrival the inmates are shown a video with more comprehensive information. The facility provided signed and dated verification of this inmate education. There is also information in the inmate handbook on the kiosk and posters throughout the facility.</p> |

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| 115.34 | Specialized training: Investigations |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>Currently a Sheriff's office investigator or a BCI agent handles any investigations. The Bottineau County Jail did not have any administrative investigators that had completed specialized training for investigating sexual abuse in a confinement setting. All criminal allegations are turned over to the Sheriff's Office for investigation. The sheriff stated that they would request assistance in criminal investigations of sexual abuse from the BCI. The auditor interviewed the BCI criminal investigator and found him to be well experienced with superb skills in addressing criminal sexual abuse investigations. He stated he has over 2800 hours of training that includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. All criminal investigations involving staff-on-inmate sexual misconduct would be investigated by an investigator from the North Dakota Bureau of Criminal Investigations.</p> <p>CORRECTIVE ACTION: The auditor required that an administrative investigator complete investigative training specific to investigation within a confinement setting such as the course offered by the North Dakota Department of Corrections and Rehabilitation or the National Institute of Corrections course PREA: Investigating Sexual Abuse in a Confinement Setting. The facility stated that the Assistant Jail Supervisor and the PREA Coordinator are to be their designated administrative investigators. The auditor recommended that both participate in one of the recommended training courses. Training documentation of this specialized training must be provided to the auditor.</p> <p>The PREA Coordinator, who is an administrative investigator for the facility, completed the National Institute of Corrections course PREA: Investigating Sexual Abuse in a Confinement Setting and provided the auditor with the training certificate.</p> |

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| 115.35 | Specialized training: Medical and mental health care |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The Bottineau County Jail does not have any full or part time medical or mental health staff. The facility contracts with a medical provider for intake physicals or utilizes community resources.</p> |

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| 115.41 | Screening for risk of victimization and abusiveness |
| | <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 1474 622">The Bottineau County Jail completes a screening process upon intake. Staff confirmed that they are continually reassessing an inmate’s status. They specifically would reassess if a referral or request was made by any staff, volunteer or contractor or if there was an incident of sexual abuse or receipt of additional information that has bearing on their risk of sexual victimization or abusiveness. However, they were not completing nor documenting a formal follow-up screening process within 30 days following an inmate’s arrival.</p> <p data-bbox="256 676 1469 792">CORRECTIVE ACTION: The auditor required the Bottineau County Jail devise a method of a follow-up screening process that occurs within 30 days following an inmate’s arrival.</p> <p data-bbox="256 846 1422 918">The facility provided documentation of their 30-day follow-up risk assessment and review for any additional information since the initial intake screening.</p> |

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| 115.42 | Use of screening information |
| | <p data-bbox="256 1115 983 1151">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 1191 558 1227">Auditor Discussion</p> <p data-bbox="256 1267 1461 1594">Bottineau County Jail has a PREA screening process and uses that along with other classification methods to determine placement within their housing unit and bed assignment. If transgender inmates are placed at the facility, those as well as all housing assignment are done on a case-by-case basis considering the inmate’s own views of safety. All inmates shower separately from other offenders. The Bottineau County Jail implements appropriate controls on the dissemination of responses to screening questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the offender’s harm by staff or other offenders.</p> |

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| 115.43 | Protective Custody |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>Bottineau County Jail staff typically finds alternative housing units that provide protection for the inmate without segregating or isolating them. If they needed protective custody it would be for very limited duration and only until they can find appropriate housing. Even then for Bottineau County Jail protective custody is not isolation. They still participate in recreation and have out of cell time like everyone else. If the Bottineau County Jail restricts access to privileges they will document the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Offenders at high risk for sexual victimization would not be placed 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. There have been no incidents of use of protective custody to keep an inmate safe from sexual victimization.</p> |

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| 115.51 | Inmate reporting |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor interviewed administrators, staff and inmates, reviewed policy and toured the facility. The Bottineau County Jail provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Staff accepts reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports.</p> <p>The Bottineau County Jail provides at least one way for offenders to report abuse or harassment to a public or private entity or office that is not part of the jail, and that is able to receive and immediately forward offender reports of sexual abuse and sexual harassment to the jail administrators, allowing the offender to remain anonymous upon request. Offenders can call through the unit housing phone to the Family Crisis Center or the Bottineau County Sheriff's office. In addition they are provided the address to Just Detention International. The Family Crisis Center is a 24/7 crisis helpline that has agreed to provide this reporting service to the jail. The Family Crisis Center is able to receive and immediately forward offender reports of sexual abuse and sexual harassment to agency officials, allowing the offender to remain anonymous upon request. Staff can report via any method also used by offenders.</p> |

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| 115.52 | Exhaustion of administrative remedies |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor reviewed PREA policy, conducted staff and inmate interviews. The Bottineau County Jail does not impose a time limit on when an offender may submit a grievance regarding an allegation of sexual abuse. They do not require an offender to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. They ensure that an offender who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and such grievance is not referred to a staff member who is the subject of the complaint. They issue a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance.</p> <p>Third parties, including fellow offenders, staff members, family members, attorneys, and outside advocates, are permitted to assist offenders in filing requests for grievances relating to allegations of sexual abuse, and are also be permitted to file such requests on behalf of offenders. They have established procedures for the filing of an emergency grievance when the offender is subject to a substantial risk of imminent sexual abuse.</p> <p>After receiving an emergency grievance alleging a substantial risk of imminent sexual abuse, the Bottineau County Jail immediately forwards 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 is taken, and provides an initial response within 48 hours, and issues a final decision within 5 calendar days. The initial response and final decision documents their determination whether the offender is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. The Bottineau County Jail may discipline an offender for filing a grievance related to alleged sexual abuse only where the jail demonstrates that the offender filed the grievance in bad faith.</p> |

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| 115.53 | Inmate access to outside confidential support services |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>Inmates have access to outside confidential support services. The facility has an agreement with the Family Crisis Center for advocacy and support services. In addition, the jail may make referrals for mental health support services if they feel that is warranted.</p> |

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| 115.54 | Third-party reporting |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The facility has posted on their website at https://www.bottineauco.com/sheriff telephone numbers for third parties such as family members, friends, legal counsel or anyone else outside the facility to report an incident of sexual abuse or sexual harassment on behalf of an inmate. |

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| 115.61 | Staff and agency reporting duties |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The facility requires all staff to immediately report any knowledge, suspicion or information received related to sexual abuse/harassment incidents, retaliation and staff negligence that may have contributed to such incidents. Staff are required to make such reports to the staff supervisor and a report is submitted to the investigator. Staff interviews confirmed their responsibility to report and to maintain that information in confidence. The PREA policy requires that outside investigators be informed when there is suspected criminal activity. |

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| 115.62 | Agency protection duties |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The facility requires all staff to take immediate action to protect the inmate from imminent sexual abuse. Administrators and direct care staff understand that “immediate” means when the response is needed - that could mean within minutes if the abuse was recent or it could mean before the end of the shift for incidents in which an abuse was reported that occurred in the distant past. |

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| 115.63 | Reporting to other confinement facilities |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | Interviews with the administrators confirm actions that will be taken upon receiving an allegation of sexual abuse while an inmate was at another facility. Such action will be initiated no later than 72 hours and actions will be documented. These steps were also noted in the review of policies and procedures. There have been no instances of these allegations received from other facilities. |

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| 115.64 | Staff first responder duties |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | Interviews with staff verified their process to provide assistance; separate alleged victim/abuser; preservation and protection of evidence by securing the scene including that the victim not take any actions that could destroy any physical evidence and to report immediately to the administrator. |

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| 115.65 | Coordinated response |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor reviewed the section of the PREA policy related to the coordinated response plan, reviewed the MOU with the Family Crisis Center, interviewed the administrators, staff, the investigator, a Family Crisis Center staff and the SANE nurse at the Trinity Hospital in Minot. The Bottineau County Jail has a PREA policy which states that they have a coordinated response plan. However, the policy did not specify with enough detail the various roles and who is to perform them required of a sufficient coordinated response. The intent behind this standard is to ensure that each entity responsible knows actions to be taken without causing further trauma to a sexual assault victim while providing them with the help they need. It is important that first responders know to limit their role to simply separate the abuser from the victim, taking an urgent actions that may be needed if there are emergent medical needs, protecting the evidence for the investigator and notifying administrators and/ or law enforcement. Administrator’s role is to immediately set in motion the coordinated response between the investigator, advocate and the SANE. It is important that staff only question the perpetrator and victim to get the basic information in which to set in motion the coordinated response plan. The victim should be not be questioned or made to portray the incident multiple times to multiple people, but rather only give the story once to the investigator and the SANE while the advocate is present to help provide emotional support. It is important to take a trauma-informed approach and to take the lead from the victim to reduce further trauma. The staff and administrators know to provide immediate medal care at St. Andrews the local hospital and to transport to Trinity Hospital in Minot for a forensic examination to be completed by a SANE. However, these steps were not specifically outlined in the policy.</p> <p>CORRECTIVE ACTION: In order to comply with this standard, the auditor required that the policy more specifically state which hospital is used for emergent care and which hospital is used for the forensic exam. In addition, the policy must state if an advocate from the Family Crisis Center will accompany the victim to the hospital in Minot or if the facility will use the services of an advocate from the Domestic Violence Crisis Center in Minot. If the services of an advocate from Minot will be used, an MOU with this facility should be obtained.</p> <p>The facility provided their policy which clarified that emergency services will be performed at St. Andrews Hospital and if the inmate agrees to a forensic examination, they will be transported to Trinity Hospital in Minot. The auditor spoke with the Domestic Violence Crisis Center in Minot. They verified that if an inmate goes to Minot, they do provide services to the inmate. The facility also provided an MOU with the Bottineau Family Crisis Center who will provide all follow-up conseling services if requested by the inmate.</p> |

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| 115.66 | Preservation of ability to protect inmates from contact with abusers |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The Bottineau County Jail administrators will remove alleged staff sexual abusers from contact with inmates pending the outcome of the investigation. The facility is not restricted in any way from protecting inmates from contact with abusers. |

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| 115.67 | Agency protection against retaliation |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The Assistant Jail Supervisor is charged with monitoring for retaliation. Should any person who cooperates with a sexual misconduct investigation express fear of retaliation; appropriate protective measures will be taken. Retaliation monitoring will be discontinued should the allegation be unfounded. Measures include housing changes, removing contact of alleged staff/inmate abusers and emotional support services for those who fear retaliation. Interviews with the administrators, and specifically with the Assistant Jail Supervisor, confirmed his duties and responsibilities. Monitoring is required through their PREA policy. The auditor recommends that the Bottineau County Jail have a stated method in their policy of how frequently, that specifically the Assistant Jail Supervisor is tasked with this and how they will document monitoring to ensure that there is no retaliation. |

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| 115.68 | Post-allegation protective custody |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | Bottineau County Jail staff typically finds alternative housing units that provide protection for the inmate without segregating or isolating them. Their first response is to remove the abuser. If they will need to use protective custody it would be for very limited duration only until they can find appropriate housing. |

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| 115.71 | Criminal and administrative agency investigations |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor interviewed staff and inmates, administration and the criminal investigator. There were no documented investigations at the Bottineau County Jail to review. Through the interview with the investigator it was determined that investigations are not terminated should the source of the allegation recant. Should criminal prosecution be considered, the investigator coordinates with the state's attorney. Polygraph tests are not used in the course of their investigations. All written reports are retained for as long as the alleged abuser is incarcerated or employed by the facility plus five years. Investigations will not be terminated due to the departure of an alleged abuser or victim. These steps are properly documented in the PREA policy. At the time of the time of the on-site audit the administrative investigator had not completed specialized training. The sheriff's office will complete administrative investigations until an administrative investigator has been trained. Investigations include efforts to determine whether staff actions/failures contributed to the abuse documented through written reports, which will include physical/testimonial evidence, credibility assessments and investigative facts and findings.</p> |

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| 115.72 | Evidentiary standard for administrative investigations |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>Both the Sheriff and the BCI investigator are knowledgeable that they facility uses no standard higher than the preponderance of evidence in making final determinations of sexual abuse/harassment - meaning that the facility can take necessary actions when at the conclusion of the investigation the evidence leads them to believe the incident more than likely occurred (greater than 50%) regardless of the higher standard needed for referring a case for prosecution.</p> |

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| 115.73 | Reporting to inmates |
| | <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 707">The auditor interviewed staff and the investigator. The PREA policy states that the PREA Coordinator shall inform a victim inmate verbally and deliver a state of findings that requires the inmate’s signature. This statement will specifically state whether an allegation has been substantiated, unsubstantiated or unfounded. However, jail staff interviewed stated that there is no outlined method nor form setup to notify an inmate of the outcome of investigations. The auditor provided a sample for the facility to use in reporting back to inmates as a guide. The facility will review the sample and determine how they will inform a victim and obtain the signature to document this notice.</p> <p data-bbox="256 757 1481 837">CORRECTIVE ACTION: The auditor required a sample of the form the facility will use to document that the inmate was provided the outcome of the investigation.</p> <p data-bbox="256 887 1401 999">The facility has had no incidents to report back to inmates but did provide to the auditor their form “Bottineau County Correctional Center Report of Investigative Outcome to Inmate”</p> |

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| 115.76 | Disciplinary sanctions for staff |
| | <p data-bbox="256 1198 983 1234">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 1274 557 1310">Auditor Discussion</p> <p data-bbox="256 1350 1481 1507">The auditor interviewed administrators, the investigator and reviewed PREA policy. Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse.</p> <p data-bbox="256 1518 1481 1720">Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are 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.</p> <p data-bbox="256 1769 1481 1971">All terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, are reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies. There have been no reported cases of staff misconduct regarding sexual abuse or sexual harassment.</p> |

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| 115.77 | Corrective action for contractors and volunteers |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | Currently the medical provider who conducts intake physicals is the only contractor. There are no volunteers. Contractors and volunteers are subject to disciplinary actions including termination for violation of facility sexual abuse/harassment policies. According to the Sheriff should any violation of this type be substantiated, the facility has complete authority to administer remedial measures including prohibiting further contact with inmates. Contractors, or if they have volunteers in the future who engage in sexual abuse, will be reported to law enforcement agencies (unless the activity was clearly not criminal). |

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| 115.78 | Disciplinary sanctions for inmates |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The auditor interviewed administrators, staff, and inmates and reviewed policy. The facility prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred. The Bottineau County Jail does not provide counseling or therapy to address and correct the underlying reasons or motivations for abuse. If findings of inmate-on inmate sexual abuse are substantiated, administrative sanctions will be administered following the formal disciplinary processes and applied commensurate with the level of infractions. Some examples given by the Assistant Jail Supervisor are loss of privileges and other minor sanctions for minor infractions. More serious infractions would be segregation, transfer, and additional criminal charges. |

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| 115.81 | Medical and mental health screenings; history of sexual abuse |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | The facility has no on-site medical or mental health staff. If an intake screening indicates prior sexual abuse, the facility will ask within 14 days if the inmate would like to meet with a community medical or mental health practitioner. |

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| 115.82 | Access to emergency medical and mental health 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 1481 667">The auditor interviewed administrators and reviewed the PREA policy. Offender victims of sexual abuse would receive timely, unimpeded access to emergency medical treatment and crisis intervention services through the St. Andrews Hospital in the community or if taken to Minot for a forensic examination, through Trinity Hospital. Mental health services are typically provided by a community mental health counselor who works at the college. The PREA policy documents PREA requirements for access to emergency medical and mental health services. Emergency medical and mental health services are provided without charge to inmates.</p> |

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| 115.83 | Ongoing medical and mental health care for sexual abuse victims and abusers |
| | <p data-bbox="256 913 983 949">Auditor Overall Determination: Meets Standard</p> <p data-bbox="256 990 557 1025">Auditor Discussion</p> <p data-bbox="256 1066 1458 1518">The auditor interviewed administrators and reviewed the PREA policy. Bottineau County Jail offers a medical evaluation through community resources and, as appropriate, offers treatment to all offenders who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. 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. Offender victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Treatment services are 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.</p> |

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| 115.86 | Sexual abuse incident reviews |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor interviewed administrators. There were no incidents to review. The process is outlined within policy. The Bottineau County Jail will 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. This review will occur within 30 days of the conclusion of the investigation. The review team includes the Sheriff, the Assistant Jail Supervisor, the PREA Coordinator and the investigator. However, the administrators reported that there is no outlined method nor form setup to document the incident review. The auditor provided a sample for the facility to use as a guide. The facility will review the sample and determine how they will conduct the incident review and document it.</p> <p>CORRECTIVE ACTION: The auditor required a sample of the form the facility will use to document that an incident review was conducted and that all the required questions are included on the form such as motivation, adequate staffing levels, monitoring technology and whether there are any recommendations for improvement.</p> <p>The facility has had no incidents in which to conduct an incident review but did provide to the auditor their form "Bottineau County Correctional Center Sexual Incident Review Form" that will be used in the event of a sexual assault incident.</p> |

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| 115.87 | Data collection |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor interviewed administrators and reviewed the PREA policy. There has been no annual report prepared therefore there is no annual report posted on the website. The facility has had no incidents. However, they will collect uniform data for every allegation of sexual abuse using definitions from the PREA standards and will aggregate the incident-based sexual abuse data at least annually.</p> |

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| 115.88 | Data review for corrective action |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor interviewed administrators and reviewed the PREA policy. The Bottineau County Jail has had no incidents to review. However, they are aware of the requirement to collect data to assess and improve the effectiveness of their sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions. They have not completed an annual report.</p> <p>CORRECTIVE ACTION: In order to meet this standard, the auditor required that the Bottineau County Jail assess their efforts for effectiveness, prepare their annual report and post the annual report on their website.</p> <p>The auditor verified through viewing the Bottineau County Sheriff’s office website that they posted both their 2018 and 2019 Annual Reports.</p> |

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| 115.89 | Data storage, publication, and destruction |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The auditor interviewed the Sheriff, the Assistant Jail Supervisor and the PREA Coordinator. The auditor reviewed the PREA policy. The PREA policy addresses data storage, publication and destruction requirements. Data collected is retained via limited access and it is retained for at least ten (10) years. The Bottineau County Jail had not made aggregated data publically available through its website.</p> <p>CORRECTIVE ACTION: In order to comply with this standard the auditor required that aggregated sexual abuse data be made readily available to the public at least annually through its website.</p> <p>The auditor verified through viewing the Bottineau County Sheriff’s office website that they posted both their 2018 and 2019 Annual Reports which included aggregate data.</p> |

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| 115.401 | Frequency and scope of audits |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>The Bottineau County Jail did not meet the first three-year audit cycle. However, with the audit concluded on July 12, 2019 the agency intends to achieve and maintain compliance from this point forward. The auditor had complete access and observed operations in every area of the Bottineau County Jail. The auditor requested many documents throughout the audit process and will continue to request documents through the corrective action period. The Bottineau County Jail staff have been very cooperative throughout the audit process. The jail provided private accommodations to conduct interviews, made adjustments to routines and staff schedules and allowed complete access to the auditor. The auditor notices were posted throughout the facility. The auditor received no correspondence or requests for interviews. The staff at the Bottineau County Jail were more than accommodating, they were extremely helpful and above-board in every interaction.</p> |

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| 115.403 | Audit contents and findings |
| | Auditor Overall Determination: Meets Standard |
| | Auditor Discussion |
| | <p>This is the first audit for the Bottineau County Jail and therefore there are no published audits on their website preceding this agency audit.</p> |

Appendix: Provision Findings

| 115.11 (a) | Zero tolerance of sexual abuse and sexual harassment; PREA coordinator | |
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| | 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 | |
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| | 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 | |
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| | 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 | |
|-------------------|--|----|
| | <p>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.)</p> | na |

| 115.12 (b) | Contracting with other entities for the confinement of inmates | |
|-------------------|--|----|
| | <p>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.)</p> | na |

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|-------------------|-----------------------------------|
| 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 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? | na |

| | | |
|--|---|-----|
| | 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 for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse? | yes |
| | 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).) | na |

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

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

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

| 115.15 (b) Limits to cross-gender viewing and searches | | |
|---|--|-----|
| | Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, 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 |

| 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? | no |
| | 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? | no |
| | 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? | no |
| | Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have intellectual disabilities? | yes |

| | | |
|--|--|-----|
| | Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills? | yes |
| | Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision? | yes |

| | | |
|-------------------|---|----|
| 115.16 (b) | Inmates with disabilities and inmates who are limited English proficient | |
| | Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient? | no |
| | Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary? | no |

| | | |
|-------------------|---|-----|
| 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 |

| 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.) | yes |

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

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

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

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

| 115.21 (d) Evidence protocol and forensic medical examinations | | |
|---|---|-----|
| | Does the agency attempt to make available to the victim a victim advocate from a rape crisis center? | yes |
| | If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.) | na |
| | 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.) | yes |

| 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.) | na |
| | 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.) | na |
| | 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.) | na |
| | 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.) | na |

| 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.) | na |

| 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.) | na |
| | 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.) | na |

| 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.) | na |
| | 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.) | na |
| | 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.) | na |

| 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. | yes |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

| | | |
|-------------------|--|-----|
| 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.) | yes |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

| | | |
|-------------------|--|-----|
| 115.78 (g) | Disciplinary sanctions for inmates | |
| | 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 |

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|-------------------|---|-----|
| 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 |

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|-------------------|--|-----|
| 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 |

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

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|-------------------|---|-----|
| 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 |

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|-------------------|--|-----|
| 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.) | no |
| | 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.) | no |
| | 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.) | yes |

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

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|------------------------|--|-----|
| 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 | |
| | 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.) | na |