

PREA Facility Audit Report: Final

Name of Facility: Wayne Brown Correctional Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: 12/18/2021

Date Final Report Submitted: 06/22/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Rick Winistorfer	Date of Signature: 06/22/2022

AUDITOR INFORMATION	
Auditor name:	Winistorfer, Rick
Email:	rwinistorfer@yahoo.com
Start Date of On-Site Audit:	11/01/2021
End Date of On-Site Audit:	11/03/2021

FACILITY INFORMATION	
Facility name:	Wayne Brown Correctional Facility
Facility physical address:	925 Maidu Avenue, Nevada City, Nevada - 95959
Facility mailing address:	P.O Box 928, Nevada City, California - 95959

Primary Contact	
Name:	Zsa Zsa Wied
Email Address:	zsazsa.wied@co.nevada.ca.us
Telephone Number:	5302651291

Warden/Jail Administrator/Sheriff/Director	
Name:	Jeff Pettitt
Email Address:	jeff.pettitt@co.nevada.ca.us
Telephone Number:	5302657128

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

Facility Health Service Administrator On-site	
Name:	George McKnight
Email Address:	george.mcknight@wellpath.us
Telephone Number:	5302651905

Facility Characteristics	
Designed facility capacity:	288
Current population of facility:	145
Average daily population for the past 12 months:	168
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	19-75
Facility security levels/inmate custody levels:	Minimum, Medium, Maximum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	54
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	19
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	109

AGENCY INFORMATION	
Name of agency:	Nevada County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	950 Maidu Ave, Nevada City, California - 95959
Mailing Address:	
Telephone number:	5302651291

Agency Chief Executive Officer Information:	
Name:	Shannan Moon
Email Address:	shannan.moon@co.nevada.ca.us
Telephone Number:	5302651383

Agency-Wide PREA Coordinator Information			
Name:	Zsa Zsa Wied	Email Address:	zsazsa.wied@co.nevada.ca.us

SUMMARY OF AUDIT FINDINGS	
<p>The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.</p> <p>Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.</p>	
Number of standards exceeded:	
0	
Number of standards met:	
45	
Number of standards not met:	
0	

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2021-11-01
2. End date of the onsite portion of the audit:	2021-11-03

Outreach

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

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	288
15. Average daily population for the past 12 months:	168
16. Number of inmate/resident/detainee housing units:	1
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

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

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

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	156
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	0
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0

41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	0
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	0
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	0
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	0
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	0
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0
48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):	No text provided.
Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit	
49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:	59
50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	189
51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:	19
52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:	No text provided.
INTERVIEWS	
Inmate/Resident/Detainee Interviews	
Random Inmate/Resident/Detainee Interviews	

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	31
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	Inmate rosters were received 7 days prior to audit, and reviewed according to factors identified for questioning as identified in question # 54. Inmate roster was again reviewed each day of the audit to make any modifications to previously identified random inmates who may have left prior to audit date, any new additions to the random offender list was identified as identified in question # 54.
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	13
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	4

61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:	1
62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:	1
63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:	1
64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:	2
65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:	2
66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:	0
a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:	<input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees. <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.
b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).	Interview with staff regarding this population, and the lack thereof. Also, reviewed inmate rosters.
67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:	1
68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:	2

69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:	3
70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	Random Inmate population was oversampled to compensate for low population numbers of targets inmates.
Staff, Volunteer, and Contractor Interviews	
Random Staff Interviews	
71. Enter the total number of RANDOM STAFF who were interviewed:	10
72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input checked="" type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
If "Other," describe:	Other = Gender
73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Specialized Staff, Volunteers, and Contractor Interviews	
Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.	
75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	23
76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No

77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

<p>80. Select which SPECIALIZED STAFF roles were interviewed as part of this audit from the list below: (select all that apply)</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agency contract administrator <input checked="" type="checkbox"/> Intermediate or higher-level facility staff responsible for conducting and documenting unannounced rounds to identify and deter staff sexual abuse and sexual harassment <input type="checkbox"/> Line staff who supervise youthful inmates (if applicable) <input type="checkbox"/> Education and program staff who work with youthful inmates (if applicable) <input checked="" type="checkbox"/> Medical staff <input checked="" type="checkbox"/> Mental health staff <input type="checkbox"/> Non-medical staff involved in cross-gender strip or visual searches <input checked="" type="checkbox"/> Administrative (human resources) staff <input checked="" type="checkbox"/> Sexual Assault Forensic Examiner (SAFE) or Sexual Assault Nurse Examiner (SANE) staff <input checked="" type="checkbox"/> Investigative staff responsible for conducting administrative investigations <input checked="" type="checkbox"/> Investigative staff responsible for conducting criminal investigations <input checked="" type="checkbox"/> Staff who perform screening for risk of victimization and abusiveness <input checked="" type="checkbox"/> Staff who supervise inmates in segregated housing/residents in isolation <input checked="" type="checkbox"/> Staff on the sexual abuse incident review team <input type="checkbox"/> Designated staff member charged with monitoring retaliation <input checked="" type="checkbox"/> First responders, both security and non-security staff <input checked="" type="checkbox"/> Intake staff <input type="checkbox"/> Other
<p>81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</p>	<ul style="list-style-type: none"> <input checked="" type="radio"/> Yes <input type="radio"/> No
<p>a. Enter the total number of VOLUNTEERS who were interviewed:</p>	<p>2</p>

<p>b. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Education/programming</p> <p><input type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Mental health/counseling</p> <p><input type="checkbox"/> Religious</p> <p><input checked="" type="checkbox"/> Other</p>
<p>82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>a. Enter the total number of CONTRACTORS who were interviewed:</p>	<p>2</p>
<p>b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</p>	<p><input type="checkbox"/> Security/detention</p> <p><input type="checkbox"/> Education/programming</p> <p><input checked="" type="checkbox"/> Medical/dental</p> <p><input type="checkbox"/> Food service</p> <p><input type="checkbox"/> Maintenance/construction</p> <p><input type="checkbox"/> Other</p>
<p>83. Provide any additional comments regarding selecting or interviewing specialized staff.</p>	<p>Prior to Corrective Action: Staff identified as retaliation monitoring, no one directly identified or knowledgeable of process or procedures.</p> <p>Following Corrective Action period; all policies, procedures, forms, and staff responsibilities were completed and updated. All applicable staff were interviewed and fully aware of duties and responsibilities.</p>

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

<p>84. Did you have access to all areas of the facility?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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Was the site review an active, inquiring process that included the following:

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).	N/A

Documentation Sampling

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

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

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	3	0	3	0
Staff-on-inmate sexual abuse	1	1	0	0
Total	4	1	3	0

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

	# of sexual harassment allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual harassment	13	0	13	0
Staff-on-inmate sexual harassment	2	1	2	0
Total	15	1	15	0

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

	Ongoing	Referred for Prosecution	Indicted/Court Case Filed	Convicted/Adjudicated	Acquitted
Inmate-on-inmate sexual abuse	0	0	0	0	0
Staff-on-inmate sexual abuse	1	1	0	0	0
Total	1	1	0	0	0

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	0	0	3
Staff-on-inmate sexual abuse	0	2	0	0
Total	0	2	0	3

Sexual Harassment Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual harassment	0	4	6	5
Staff-on-inmate sexual harassment	0	0	0	0
Total	0	4	6	5

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	2
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)

Inmate-on-inmate sexual abuse investigation files

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	3
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<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>1</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>15</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>13</p>

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

<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>2</p>
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<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
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<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
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<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>No text provided.</p>
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

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

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>a. Enter the TOTAL NUMBER OF NON-CERTIFIED SUPPORT who provided assistance at any point during this audit:</p>	<p>1</p>
<p>AUDITING ARRANGEMENTS AND COMPENSATION</p>	
<p>121. Who paid you to conduct this audit?</p>	<p> <input type="radio"/> The audited facility or its parent agency <input type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option) <input checked="" type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm) <input type="radio"/> Other </p>
<p>Identify the name of the third-party auditing entity</p>	<p>Correctional Consulting Services, LLc</p>

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor's analysis and reasoning, and the auditor's conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1493 362">Nevada County Sheriff's Office (NCSO) Policy 606 mandates that the Wayne Brown Correctional Facility (WBCF) has a zero-tolerance policy towards all forms of sexual abuse and sexual harassment. WBCF must provide a safe and secure environment for inmates.</p> <p data-bbox="242 396 1484 488">NCSO Policy outlines the facility's approach to preventing, detecting, and responding to sexual abuse and sexual harassment. Coordinated Response was also reviewed showing the required protocols that are to be taken by staff following an allegation of sexual abuse and/or harassment.</p> <p data-bbox="242 519 1431 611">The NCSO policy is designed to minimize incidents of sexual abuse, sexual harassment, or any other form of sexual misconduct that impact staff, inmates, volunteers, or contractors. Each of the documents reviewed were consistent with PREA standards.</p> <p data-bbox="242 645 933 674">The NCSO has a detailed list of definitions, as required per provision.</p> <p data-bbox="242 703 1490 795">According to the NCSO Organizational Chart, the PREA Coordinator falls under the Corrections Sheriff Jail Commander. The PREA coordinator indicated that she has sufficient time and authority to develop, implement, and oversee agency efforts to comply with PREA standards in all NCSO facilities.</p> <p data-bbox="242 826 1431 887">According to the WBCF Organizational Chart the designated PREA Compliance Manager (PCM) falls directly under the Lieutenant (PREA Coordinator).</p> <p data-bbox="242 918 1493 1043">During the interview with the PCM, she indicated that she has sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards. She was knowledgeable with regards to specific policy surrounding the PREA standards. It is evident that she is extremely knowledgeable with the Department's expectations, and is able to implement them into her daily responsibilities.</p> <p data-bbox="242 1075 1447 1135">The PREA Coordinator advised she ensures that the facility has all of the tools and guidance they need to meet all of the requirements of the PREA standards.</p> <p data-bbox="242 1167 1452 1227">The NCSO has developed a zero tolerance stance towards sexual abuse and sexual harassment, staff and inmates were extremely knowledgeable of the PREA standards and zero tolerance policy</p> <p data-bbox="242 1258 363 1288">Conclusion:</p> <p data-bbox="242 1319 1461 1379">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding zero tolerance of sexual abuse and sexual harassment. No recommendations or corrective actions are required.</p>

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 215 451 237">Auditor Discussion</p> <p data-bbox="244 275 1489 365">115.12(a) and 115.12(b) – N/A - Agency does not contract for the confinement of inmates. Interview with the Agency Contract Administrator, he further indicates that he would be responsible for monitoring contract compliance; however, at this time the agency does not contract for the confinement of its inmates.</p> <p data-bbox="244 400 363 423">Conclusion:</p> <p data-bbox="244 459 1481 517">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding contracting with other entities for confinement of inmates. No recommendations or corrective actions are required.</p>

115.13	Supervision and monitoring
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1430 362">Current policy ensures the facility continues to develop, document, and make its best effort to follow a staffing plan that provides for adequate levels of staffing, and when applicable, utilize video monitoring to protect inmates against sexual abuse.</p> <p data-bbox="240 398 1489 488">The staffing plan, dated 08/10/2021, was reviewed by the auditor, and conforms with the direction and allocations as directed by policy. In calculating adequate staffing levels and determining the need for video monitoring, the facility will utilize the PREA staffing analysis in accordance with the following considerations:</p> <ol data-bbox="272 542 1485 904" style="list-style-type: none"> 1. Generally accepted detention and correctional practices; 2. Any judicial findings of inadequacy; 3. Any findings of inadequacy from Federal investigative agencies; 4. Any findings of inadequacy from internal or external oversight; 5. All components of the facility's physical plant (including "blind-spots" or areas where staff or Inmates may be isolated); 6. The composition of the Inmate population; 7. The number and placement of supervisory staff; 8. Institution programs occurring on a particular shift; 9. Any applicable regulations or standards; 10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse; 11. Any other relevant factors <p data-bbox="240 936 1489 994">The staffing plan is reviewed annually in collaboration with the facility Jail Commander, the PREA Coordinator, the PCM, and additional staff, as necessary.</p> <p data-bbox="240 1025 1489 1285">The facility provided a staffing plan and daily staff rosters clearly indicating staffing levels. A staffing analysis review was also provided to the auditor. The leadership team conducts an annual staffing analysis, including a review of existing posts, video monitoring, and other monitoring technologies at the facility. During the interview with the Jail Commander, he reported if the facility deviates from the staffing plan, the staffing roster is updated. In those circumstances where the staffing plan is not complied with, it is the shift supervisor's responsibility to document and justify all deviations from the plan in the daily shift report. The Auditor could not find an occurrence when inmate education or program time was shut down as a result of staff shortage in the past 12 months; however, since March of 2020 education and programs have been shut down as a result of the COVID situation.</p> <p data-bbox="240 1317 1461 1442">The plans that were provided were comprehensive and addressed each of the bullet items required according to Provision (a). On an annual basis, quality assurance audits are conducted to ensure compliance with the established staffing model. The staffing plan was predicated upon an average daily inmate population of 181. On the first day of the audit, the inmate population was 156.</p> <p data-bbox="240 1473 1382 1532">A staffing plan review board is convened at least once annually for the review and assessment of the staffing plan, deployment of video monitoring system, and resources available to ensure adherence to the staffing plan.</p> <p data-bbox="240 1563 1469 1657">The annual staffing plan review board analyzes the most common reasons for any deviation from the staffing plan and propose corrective actions or alternatives. It has been documented that in the past 12 months, the following are the four (4) instances when deviation from the staffing plan might occur:</p> <ol data-bbox="272 1711 571 1836" style="list-style-type: none"> 1. Female Staffing (Truckee) 2. Hospital Security 3. Unscheduled Transports 4. COVID <p data-bbox="240 1868 1489 2029">The WBCF has minimum staffing requirements. In the event that a mandatory post is vacant for whatever reason, that position is filled with overtime staff or staff redirected from non-mandatory positions. The Auditor reviewed randomly chosen rosters over a twelve-month period and each roster reflected various position deviations. During this review period, there were various instances when voluntarily overtime, or staff diversions were utilized to cover any vacant positions. As indicated in the documentation, normal unit operations occurred and were uninterrupted.</p> <p data-bbox="240 2060 1489 2150">According to NCSO & WBCF policy, it is the responsibility of the facility for providing direction to reflect the practice of having intermediate level and high-level-supervisors conduct and document unannounced rounds to identify and deter staff and inmate sexual abuse and sexual harassment. Staff are prohibited from alerting other staff members that these rounds are</p>

occurring. The facility provided examples of both their logbooks and the electronic logbooks documenting unannounced rounds by staff on each shift to the auditor both in the pre-audit paperwork and during the Onsite Audit Phase.

During the site review, the auditor was informed that there are over 165 cameras distributed throughout the facility. During this site review, the auditor identified a couple of areas of concern located in the kitchen area of the facility. These items were specific to coverage of the three (3) walk-in freezer/refrigerators, and the inmate restroom area, specifically coverage and monitoring of these areas. The freezer/refrigerator doors had locking capabilities; however, each was left unlocked, allowing full unsupervised access. The inmate restroom door allowed for full un-monitored access by an inmate or inmates. These issues were brought to the attention of the PREA Coordinator immediately upon identification. She immediately advised staff, and updated the procedures to reflect that the freezer/refrigerator doors are to remain locked at all times, allowing inmates access only under direct supervision. In addition, a lock was placed on the inmate restroom door, requiring staff to control access to the private restroom area. Prior to the conclusion of the on-site portion the auditor verified that these items had been addressed appropriately.

Discussions with the Jail Commander indicated that the continued utilization, implementation and replacement of outdated cameras and equipment has been a significant topic during their staffing plans within this audit cycle.

During the interviews with both the Jail Commander and the PCM indicated that they regularly conduct random reviews of staffing levels, how they affect the inmate programming, various classification amounts, as well as any changes or modifications to the video monitoring. They will also review for other concerns which include; physical plant configuration, internal or external oversight bodies, inmate population configuration, placement of supervisor staff, line-staff needs, and any prevalence of substantiated or unsubstantiated incidents of sexual abuse.

Additionally, the Jail Commander indicated that during his regular executive staff meetings, staffing plan compliance and any deviations from the staffing plan are frequently discussed.

Interviews conducted with intermediate or higher level staff affirmed that they are making unannounced rounds and documenting these rounds in the appropriate locations.

During random informal interviews and discussions with staff, the staff stated that supervisors conduct unannounced tours of their housing units and document them in the logbook. This was validated by the auditor through a review of the logs during the facility tour.

During the interview with the PREA Coordinator, she confirmed that the staffing plan is reviewed annually which includes video monitoring, and resources available to commit to the staffing plan.

Interviews with higher level staff indicate that they begin their rounds by instructing staff to not inform each other they are making their rounds and moving throughout the facility/unit. Supervisors go anywhere the inmates have access. Supervisors confirmed these rounds are documented in the appropriate log(s).

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard for supervision and monitoring. No recommendations or corrective actions are required.

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 451 237">Auditor Discussion</p> <p data-bbox="244 271 868 297">This facility does not accept youthful inmates into confinement.</p> <p data-bbox="244 331 1406 389">Staff and Inmate interviews confirm youthful inmates are not housed at the facility. Staff indicated per policy; youthful inmates are never housed at WBCF.</p> <p data-bbox="244 423 1441 481">The PREA Compliance Coordinator also provided an age breakdown for those inmates housed at WBCF; the age of the inmate population ranges between 19 – 75 yrs.</p> <p data-bbox="244 515 1139 542">During the site visit, the auditor did not observe any youthful inmates housed at the facility</p>

115.15	Limits to cross-gender viewing and searches
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1449 365">Existing NCSO/WBCF policy covers the procedures for appropriate searches and is compliant with the mandates of this standard. Strip searches and visual body cavity searches shall be conducted by staff of the same gender and in a private place which prevents the search from being observed by those not assisting in the search.</p> <p data-bbox="240 398 639 425">Subsection 115.15 (b) is not applicable.</p> <p data-bbox="240 459 1445 582">Further policy states that the facility shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined 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.</p> <p data-bbox="240 616 1422 707">According to existing NCSO policy, except in exigent circumstances, strip searches and body cavity searches must be conducted, in private, by staff of the same sex as the inmate being searched. WBCF policy requires the facility staff to document all cross-gender strip searches and cross-gender visual body cavity searches.</p> <p data-bbox="240 741 1430 799">NCSO policy allows an inmate to shower and perform bodily functions without non-medical staff of the opposite gender viewing them, except in exigent circumstances.</p> <p data-bbox="240 833 1469 956">In those instances when a female staff member enters a housing area, they are required to announce, "female on the tier". During the site-review, opposite gender staff were observed entering the various housing units and announcements of their presence was made for each occurrence. Policy and procedure requires staff of the opposite gender to announce their presence when entering an inmate housing area in accordance.</p> <p data-bbox="240 990 1493 1081">All inmates and random staff reported hearing opposite gender staff announce their presence when entering the housing unit. Every inmate interviewed confirmed that they were comfortable dressing without being viewed by staff of the opposite gender.</p> <p data-bbox="240 1115 1409 1173">During informal interviews with staff regarding the requirement for cross gender announcements, all staff consistently reported that opposite gender staff announcements are made when entering the housing areas.</p> <p data-bbox="240 1207 1493 1330">NCSO policy requires staff to be cognizant when searching transgender and intersex inmates, and shall conduct searches in a respectful, and least intrusive manner as possible. Inmates are not searched for the sole purpose of identifying/verifying their gender. The facility has integrated training specific to transgender and intersex searches. Policy clearly stipulates that under no circumstances shall an inmate search be conducted solely for the purpose of determining an inmate's genital status.</p> <p data-bbox="240 1364 1474 1456">Policy indicates that the NCSO shall train security staff in how to conduct cross-gender pat-down searches and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. On-going training is also provided by shift supervisors periodically.</p> <p data-bbox="240 1489 1489 1612">NCSO provided training logs to demonstrate all facility staff have been trained on search procedures. The training curriculum that is utilized for the training was also provided for review. Each participant signed their acknowledgement of associated training materials. Training topics included the NCSO's zero tolerance policy, characteristics, and signs of potential victims of sexual abuse and harassment, security checks, contraband, as well as appropriate search techniques.</p> <p data-bbox="240 1646 1477 1704">During staff interviews, staff advised that they are trained on how to conduct cross-gender pat-down searches and searches of transgender inmates. Staff reported they receive a refresher course on an annual basis.</p> <p data-bbox="240 1738 1449 1796">NCSO policy also advises that cross gender searches, including cross gender frisk, strip, or body cavity searches are not authorized in the WBCF.</p> <p data-bbox="240 1830 507 1856">In the past twelve months:</p> <ul data-bbox="284 1904 1489 1995" style="list-style-type: none"> • The number of cross-gender visual body cavity searches of inmates: 0 • The number of cross-gender visual body cavity searches of inmates that did not involve exigent circumstances or were performed by non-medical staff: 0 <p data-bbox="240 2029 970 2056">The WBCF is designated as both a male and female confinement facility.</p> <p data-bbox="240 2089 1458 2148">There are several different housing configurations at WBCF; housing varies between one (1) and two (2) person cells with individual toilets, to small dormitory settings with a bathroom area located in a centralized area of the dormitory. The</p>

dormitory bathrooms have a half/saloon type door covering each individual shower, with appropriate privacy screens shielding each individual toilet. Segregated housing cells contain toilets inside of the cells that are situated at the far end of the cell. A shower is located on the tier, with half/saloon type door. All showers and toilets in the housing units, dorms or segregated housing have appropriate surrounds, coverings, or are situated to ensure protection against opposite gender viewing.

During interviews with the PREA Compliance Manager and higher-level facility staff it was reported that no cross-gender strip searches have been conducted at the facility within the past 12 months.

All staff interviewed (formal and informal) were questioned about cross gender search practices. Each of these staff recalled having the training specific to this and reported that cross gender strip searches or cross gender body cavity searches do not occur at WBCF. In addition, the interviewed staff indicated specifically that no searches are conducted for the sole purpose of identifying the genital status.

Of the formal and informal inmate interviews, all indicated that female staff do not conduct cross gender strip searches or cross gender body cavity searches.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard to limits to cross-gender viewing and searches. No recommendations or corrective actions are required.

115.16	Inmates with disabilities and inmates who are limited English proficient
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1477 398">The facility ensures 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. It provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, intellectually and/or physically disabled, as well as to inmates who have limited reading skills.</p> <p data-bbox="242 430 1484 557">The facility has staff who can be utilized as translators. The Language Line Services, Inc. is the NCSO's supplier for phone service interpreting to those inmates who are limited English proficient. Brochures are available in both English and Spanish. WBCF had prominent PREA signs throughout the facility in English as well as Spanish. The PREA Orientation Handbook is available in Spanish as well.</p> <p data-bbox="242 589 1485 680">NCSO policy indicates that staff shall not rely on inmate interpreters, inmates readers, or other types of inmate assistants 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 described within this plan, or the investigation of the inmate's allegations.</p> <p data-bbox="242 712 1481 840">The auditor was provided written documents, training materials, as well as PREA brochures, which are provided in both English and Spanish to the inmate population. During the tour, the Auditor also observed that the PREA posters were prominently displayed in each housing unit, work area, as well as numerous areas throughout the facility in both English and Spanish.</p> <p data-bbox="242 871 1481 929">During the interview with the Sheriff, she shared that the Department ensures that training materials are provided in different formats; written, video, English, Spanish, etc.</p> <p data-bbox="242 960 1431 1019">During the interview with the PCM, she indicated that there have not been any instances in the past twelve (12) months where interpreter services were utilized or required.</p> <p data-bbox="242 1050 1422 1108">Five (5) inmates who were either identified as Limited English Proficient or with a disability were interviewed, and each confirmed receiving and understanding the information regarding sexual abuse and sexual harassment.</p> <p data-bbox="242 1140 1493 1267">Of the staff that were interviewed by the Auditor, all indicated that in the event translation was required, they would try to find another staff member to provide translation, and would then advise the shift commander for further direction. Each of the staff members advised that they would not solicit the assistance of an inmate translator, nor would they utilize one past the initial introductions.</p> <p data-bbox="242 1299 363 1328">Conclusion:</p> <p data-bbox="242 1359 1442 1451">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard for Inmates with disabilities and inmates who are limited English proficient. No recommendations or corrective actions are required.</p>

115.17	Hiring and promotion decisions
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1493 432">NCSO policy requires that an the department/facility shall not hire or promote anyone into a position who may have contact with inmates, and shall not enlist the services of any contractor that may have contact with inmates, that have engaged in sexual abuse of inmates in an institutional setting, has been convicted of engaging in sexual activity in the community facilitated by force, the threat of force, or coercion, or has been civilly or administratively adjudicated to have engaged in such activity. During the interview with the Human Resources (HR) Director, she confirmed this practice was in place.</p> <p data-bbox="240 463 1481 521">The WBCF does not employ or promote anyone who may have contact with Inmates, and shall not enlist the services of any contractor who may have contact with Inmates, who:</p> <ul data-bbox="282 575 1474 768" style="list-style-type: none"> • 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); • 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; or • Has been civilly or administratively adjudicated to have engaged in 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. <p data-bbox="240 799 1489 958">NCSO policy requires that WBCF must consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. During the interview with the HR Director, she reported that the facility does consider prior incidents of sexual harassment/sexual abuse when determining whether to promote or hire anyone. She could not recall that this has occurred, and that if it had it would be discussed with administration.</p> <p data-bbox="240 990 1484 1048">Before hiring new employees, who may have contact with inmates, the Nevada County Sheriff's Office policy indicates that it shall:</p> <ol data-bbox="276 1102 1417 1227" style="list-style-type: none"> 1. Perform a criminal background check; and 2. Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employees for imitation on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. <p data-bbox="240 1258 1485 1384">NCSO policy requires that prior to hiring new contractors who may have contact with inmates, the facility performs criminal record background checks for all newly hired employees who may have contact with inmates, all employees who have contact with inmates who are considered for promotion, contractors who may have contact with inmates, and volunteers who may have contact with inmates.</p> <p data-bbox="240 1415 1489 1608">The Auditor reviewed a random sampling of staff and contactor files. The Auditor reviewed a total of seventeen (17) files of those individuals, both staff and contractor, who were either hired or promoted within the past 12 months, including existing staff who had been with NCSO for over five (5) years. Each of the files reviewed contained all items required by the standard, which included PREA documentation and Criminal History Check information. The Auditor was also able to verify that all files reviewed contained all items required by standard, including the PREA documentation and verification of the completed criminal history checks.</p> <p data-bbox="240 1639 1477 1765">In the preceding 12 months there were eight (8) individuals hired who may have contact with inmates who had a criminal background check completed. The Auditor conducted a review of the requested personnel files (which included newly hired) and verified that each of the files reviewed contained all items required by standard, including the PREA documentation and verification of the completed criminal history checks.</p> <p data-bbox="240 1796 1481 1854">The WBCF does not employ or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who:</p> <ul data-bbox="282 1908 1474 2101" style="list-style-type: none"> • 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); • 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; or • Has been civilly or administratively adjudicated to have engaged in 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. <p data-bbox="240 2132 1477 2159">The Human Resources Director was interviewed regarding the hiring practices of the NCSO indicated that a potential hire is</p>

required to fill out all personnel documents, which requires the disclosure of the standards required items. In addition, the HR Director further stated that the NCSO takes a highly active and aggressive stance with the requirements of the PREA standards. She further indicated that a condition of staff employment requires that any arrest activity must be reported through the respective employee's reporting structure. Additionally, any information on substantiated allegations of sexual abuse or sexual harassment involving a former employee must be provided upon request.

NCSO policy requires the facility to conduct criminal background checks at least every five years of current employees and contractors who may have contact with inmates. In lieu of conducting background checks every five (5) years, as required by provision, the HR Director further advised that the NCSO has implemented a real time arrest notification process with the California Department of Justice, which sends immediate notification of arrests by NCSO personnel.

NCSO policy requires the facility to ask all applicants and employees who may have contact with inmates directly about previous misconduct. Prior institutional employers of each candidate, including new hires and promotional candidates, and contract employee candidates, are also contacted for information on substantiated allegations of sexual abuse of an inmate or any resignation during a pending investigation of an allegation of sexual abuse of an inmate.

During the interview with the HR Director, she indicated that omissions regarding misconduct, or the provision of materially false information, are grounds for termination. The facility is also required to 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. She further reported NCSO has a universal form that is utilized request information regarding misconduct on a potential hire.

Conclusion

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard for hiring and promotion decisions. No recommendations or corrective actions are required.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 453 237">Auditor Discussion</p> <p data-bbox="240 271 1485 365">The NCSO Sheriff is required to approve any major changes in construction, and she considers the best interest of staff and inmates. The WBCF is NOT currently undergoing modifications. The Sheriff reported prior to the start of the construction any changes or modifications are approved by her office.</p> <p data-bbox="240 398 1422 456">During any design and construction process, all security measures and blind spots were considered, with all electronic monitoring cameras/technologies being incorporated into the project from its inception.</p> <p data-bbox="240 490 1414 548">NCSO policy requires when a facility is installing or updating a video monitoring system, the facility considers how the technology may enhance the facility's ability to protect inmates from sexual abuse.</p> <p data-bbox="240 582 1453 640">During the site review of the facility, the auditor was informed that there is over 165 cameras distributed the facility. There have been thirty-one (31) cameras added during this past year.</p> <p data-bbox="240 674 1477 768">During the interview with the Sheriff, the auditor was advised any new construction is vetted for approval. All modifications are implemented are conducted in accordance with PREA standards. Video monitoring technology at the facility is reviewed annually and updated as needed. Cameras are positioned in a manner to eliminate blind spots.</p> <p data-bbox="240 801 1458 927">During the interview with the Sheriff, the auditor confirmed there have not been any expansions or modifications that have occurred in the facility since the last PREA audit. The auditor was advised that the facility also considers any blind spots when installing new or updating video monitoring technology. The primary goal is to ensure staff can view any areas of concern within the facility.</p> <p data-bbox="240 960 363 987">Conclusion:</p> <p data-bbox="240 1021 1437 1079">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard to upgrades to facilities and technology. No recommendations or corrective actions are required.</p>

115.21	Evidence protocol and forensic medical examinations
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1477 432">The NCSO policy was designed to outline the policy and procedures for investigating and documenting incidents of sexual assault. The policy further identifies the agency's commitment to assist sexual assault victims in a supportive manner and to conduct timely and diligent investigations, enhancing probability of a successful prosecution, as well as outlining the procedures that investigators must follow including the Forensic Medical Examination, sexual assault evidence kit, crime scene examination, evidence collection, and the interview process.</p> <p data-bbox="240 463 1461 589">The facility is responsible for conducting administrative sexual abuse investigations. The Coordinated Response to Sexual Abuse and Sexual Harassment policy outlines the response by staff at the facility from the initial report to the closing of the investigation. The Administrative Sergeant from Sheriffs Administration is responsible for conducting the criminal investigation, and follows a uniform evidence protocol that has been established by the Sheriff's Office.</p> <p data-bbox="240 620 1445 680">Upon learning of an allegation that an inmate was sexually abused WBCF staff are required to secure the scene until the investigator(s) arrive. It is WBCF staff's responsibility to:</p> <ol data-bbox="276 732 1457 1061" style="list-style-type: none"> 1. Separate the alleged victim and abuser; 2. Preserve and protect any crime scene until the appropriate steps can be taken to collect any evidence; 3. If the abuse occurred within a time that still allows for the collection of physical evidence, 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; 4. Attempt to obtain the identity of the suspect and any possible witnesses, but do not interview the victim further; 5. If the abuse occurred within a time period that still allows for collection of physical evidence, 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. 6. Do not attempt to interrogate the alleged suspect unless circumstances make it unavoidable. <p data-bbox="240 1093 1485 1184">During the interview with Investigator(s), he outlined the procedures they follow to conduct the investigations, obtain, and preserve evidence, collection of evidence by appropriate medical personnel and perform the follow-up services that are to be provided to victims. A copy of the Evidence Procedures was provided to the auditor.</p> <p data-bbox="240 1216 1477 1375">NCSO policy requires that the facility offer all victims of sexual abuse access to forensic medical examinations without financial cost, when evidentiarily or medically appropriate. Such examinations are conducted by Sexual Assault Forensic Examiners (SAFE) or Sexual Assault Nurse Examiners (SANE) at the Sutter Hospital located in Roseville, CA. The SANE nurse who was interviewed confirmed to the auditor that the off-site forensic medical exam is performed by a certified SANE at no cost to the inmate.</p> <p data-bbox="240 1406 1434 1500">The Medical Department at WBCF is responsible to ensure that all documentation is maintained in the inmate's medical record. In addition, all counseling for sexually transmitted infection, treatment and follow-up will be conducted, as appropriate.</p> <p data-bbox="240 1532 1450 1626">The facility has MOU's with a community Rape Crisis Center, Sexual Assault/Domestic Violence Center, to provide victim advocacy services for the inmate population. A copy of the signed MOU was provided to the auditor with the pre-audit material. A representative from the Rape Crisis Center was also contacted for a telephonic interview.</p> <p data-bbox="240 1657 1493 1749">Upon notification of a sexual assault, the investigator/facility medical staff will consider the amount of elapsed time and shall request a forensic medical examination of the victim if the sexual assault occurred within 72 hours of report the assault to the investigator.</p> <p data-bbox="240 1780 1489 1874">In the past twelve months there have not been any forensic medical exams conducted, nor were any performed by either SANE/SAFE, or by a qualified medical practitioner. During interviews, staff were well informed on the procedure for forensic examinations and victim advocacy services.</p> <p data-bbox="240 1906 1484 2065">The Auditor conducted a telephonic interview with the SAFE/SANE representative. She confirmed that the exams are provided at no cost to the inmate, and that all forensic services are provided when the inmate is presented at the hospital for follow-up. She indicated that trained forensic nurses (SAFE/SANE) are always available 24 hours a day, 7 days a week. She further stated that during the exam process, a victim advocate is also made available to assist with any questions and to ensure that follow-up counseling is provided before, during, and after the examination as needed for the victim.</p> <p data-bbox="240 2096 1484 2157">According to the signed MOU between WBCF and the Sexual Assault / Domestic Violence Center, the organization provides advocacy services to accompany and support the inmate victim through the forensic medical examination process and</p>

investigatory interviews. The auditor was provided a copy of the signed MOU. The advocates provide emotional support, crisis intervention, information, and referrals upon request from WBCF. This process was also confirmed through interviews with the PREA Compliance Manager.

115.21 (f-h): This subsection is not applicable. The Agency is responsible for investigating allegations of sexual abuse through the use of trained supervisory staff.

During the interview with the PCM, she indicated that victim advocacy services are offered through contract and are built into the forensic examination process. The PCM further stated that all requirements of PREA have been incorporated into the contract. During the examination, the inmate meets the victim advocate and arrangements are made to provide any necessary counseling services. Any follow-up counseling will be coordinated in collaboration with mental health services staff located at the facility.

In the instance where inmates reported sexual abuse while housed at WBCF, staff would provide them immediate assistance. In the instance of a reported sexual assault, staff would immediately contact their supervisor who would ensure that the inmate was immediately taken to the appropriate medical staff and received all the treatment services that they required, including counseling services.

During the interviews with staff, the auditor confirmed all staff knew and understood the agency's protocol for obtaining usable physical evidence if an Inmate alleges sexual abuse. Every staff member interviewed was able to articulate the basic preservation of evidence component of both victim and assailant. They were also able to explain their responsibilities up to the point where they will transfer responsibility to either the trained investigator or medical staff.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard to evidence protocols and forensic medical examinations. No recommendations or corrective actions are required.

115.22	Policies to ensure referrals of allegations for investigations
	<p data-bbox="242 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 237">Auditor Discussion</p> <p data-bbox="242 273 1377 300">In the past 12 months the number of allegations of sexual abuse and sexual harassment that have been received:</p> <ul data-bbox="284 349 687 412" style="list-style-type: none"> <li data-bbox="284 349 687 376">• Administrative investigations: 17 <li data-bbox="284 383 687 412">• Criminal investigations: 0 <p data-bbox="242 443 1485 506">Referring to allegations received during the past 12 months, all administrative investigations were documented appropriately, and completed.</p> <p data-bbox="242 533 1474 694">NCSO policy indicates that investigations shall be initiated as prescribed in policy. All allegations of misconduct or criminal activity received, shall be reviewed and a determination made as to how the allegation / investigation will be handled. The information is used to determine if it should be conducted by an investigator at the WBCF, or if would be more appropriately handled through a different process. Investigative staff were interviewed and confirmed this practice. The Department has legal authority to conduct both administrative and criminal investigations.</p> <p data-bbox="242 721 1466 851">A review of NCSO policy indicates that their department is the primary investigative and law enforcement entity, capable of conducting these investigations. Their office is capable of serving as an independent office capable of conducting the investigations in accordance with those professional standards that relate to the fields of investigation in a government environment, and certain regulations and policies of the NCSO.</p> <p data-bbox="242 878 1453 940">The agency's policy regarding the referral of allegations of sexual abuse or sexual harassment for criminal investigation is published on the agency website:</p> <p data-bbox="242 967 1002 1030">https://www.mynevadacounty.com/DocumentCenter/View/38767/606-Prison-Rape-Elimination-Act</p> <p data-bbox="242 1057 1366 1120">The departmental website provides access to numerous methods for the public to report Sexual Abuse or sexual Harassment, such methods include telephone contact and email address information.</p> <p data-bbox="242 1146 1235 1173">115.21 (c-e): is not applicable. WBCF/NCSO is responsible for conducting their own investigations.</p> <p data-bbox="242 1200 1434 1303">During the interview with the Sheriff, the auditor was advised criminal sexual abuse or sexual harassment criminal investigations are completed by trained staff from the NCSO. The NCSO ensures their agents and Investigators receive proper training.</p> <p data-bbox="242 1330 357 1357">Conclusion</p> <p data-bbox="242 1384 1437 1447">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard to policies to ensure referrals of allegations for investigations. No recommendations or corrective actions are required.</p>

115.31	Employee training
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1477 362">Following a review of the NCSO policy, as well as associated PREA training curriculum confirm that NCSO has policies and training in place to ensure that all employees and volunteers who may have contact with inmates, and have received the appropriate training on:</p> <ol data-bbox="272 421 1477 846" style="list-style-type: none"> 1. It's zero-tolerance policy for sexual abuse and sexual harassment; 2. How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, investigation, response and prosecution of the policies and procedures; 3. An offenders "right" to be free from sexual abuse and sexual harassment, and sexual misconduct; 4. The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment, and sexual misconduct; 5. The dynamics of sexual abuse, sexual harassment, and sexual misconduct in confinement; 6. The common reactions of sexual abuse, sexual harassment, and sexual misconduct victims; 7. How to detect and respond to sign of threatened and actual sexual abuse; 8. How to avoid inappropriate relationships with inmates 9. How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates, and; 10. How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. <p data-bbox="240 882 1477 936">The Department's curriculum and training materials were reviewed by the Auditor. All training materials provided include all required elements required according to PREA Standards.</p> <p data-bbox="240 972 1477 1025">The Auditor reviewed twenty (20) random staff training files. Each reviewed file contained all relevant documentation to reflect that staff had met their initial PREA requirements.</p> <p data-bbox="240 1061 1477 1115">Each of the staff members interviewed recalled attending the initial PREA training when they were hired, and each indicated that they receive annual PREA refresher training, as well as additional in-service trainings.</p> <p data-bbox="240 1151 1477 1205">According NCSO policy, training is tailored to both genders of inmates at the facility. Prior to the onsite portion of the audit WBCF, lesson plans and numerous training logs were provided to the auditor for review.</p> <p data-bbox="240 1240 1477 1294">Of the 59 staff presently assigned to the Wayne Brown Correctional Facility, the auditor reviewed documentation that reflected 100% of the staff have received the PREA training specific to the inmate population in the past twelve (12) months.</p> <p data-bbox="240 1330 1477 1451">The facility provides employees with refresher training annually to ensure that all employees know the facility's current sexual abuse and sexual harassment policies and procedures. During the on-site portion of the audit, an additional random sample of employees' and contractors' training files were reviewed. According to training files reviewed, it was verified that staff are receiving annual PREA training.</p> <p data-bbox="240 1487 1477 1541">The auditor reviewed the PREA PowerPoint Presentation and acknowledgement sheets used for staff training. The auditor also confirmed the PowerPoint training consisted of all the information listed above.</p> <p data-bbox="240 1576 1477 1630">The facility documents through an employee signature that they understand the training they have received. All files indicated by an employee signature that they are completing the PREA training as required.</p> <p data-bbox="240 1666 1249 1693">During the interviews with random staff, all staff confirmed that they received training in the following:</p> <ul data-bbox="272 1751 1477 2110" style="list-style-type: none"> • Agency's zero-tolerance policy for sexual abuse and sexual harassment; • How to fulfill our responsibilities regarding sexual abuse and sexual harassment prevention, detection, reporting, and response, per agency policies and procedures; Inmates' right to be free from sexual abuse and sexual harassment; • The right of Inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; • The dynamics of sexual abuse and sexual harassment in confinement; The common reactions of sexual abuse and sexual harassment victims; • How to detect and respond to signs of threatened and actual sexual abuse; How to avoid inappropriate relationships with Inmates; • How to communicate effectively and professionally with Inmates, including lesbian, gay, bisexual, transgender, intersex, or gender non-conforming Inmates; • How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

The WBCF staff that were interviewed advised they received classroom training for PREA.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard for employee training to employee training. No recommendations or corrective action is required.

115.32	Volunteer and contractor training
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1490 362">According to NCSO and WBCF policy, the facility ensures all volunteers and contractors who may have contact with inmates have received appropriate training mandated by the PREA standards. WBCF provided lesson plans and training logs with the pre-audit paperwork. Additional documentation was provided at the on-site visit.</p> <p data-bbox="240 398 1474 555">According to the provided Pre-Audit Questionnaire (PAQ), the agency has trained 100% of its 109 volunteers/contractors in agency policies and procedures regarding sexual abuse/harassment prevention, detection, and response. As a result of the COVID situation, there had not been any volunteers in the facility since March 2020; however, during the on-site portion volunteers had just been allowed to return into the facility. Volunteers/contractors are required to be provided refresher training every two (2) years to maintain their approval status.</p> <p data-bbox="240 591 1481 712">Two (2) volunteers and one (1) contractor were interviewed, each recalled that the level of training was specific to their roles/responsibilities in the facility. When the auditor questioned each one about their knowledge of PREA, each was able to identify what PREA was, and what their role/responsibility was in the event that they were confronted with a situation of Sexual Abuse / Sexual Harassment.</p> <p data-bbox="240 748 1490 972">The facility provided a copy of the volunteer and contractor PowerPoint presentation, as well as the brochures that are taught for new volunteers and contractors. The information provided covers the facility's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents. The individual signs the form to acknowledge as a volunteer, contract provider, or person with intermittent contact with inmates, they are aware of the department's zero-tolerance policy regarding sexual abuse and sexual harassment and know how to report such incidents. They are required to also acknowledge that they understand the information presented regarding this topic and shall report any instance which violates the NCSO Inmate Sexual Assault Policy.</p> <p data-bbox="240 1008 1452 1061">The level and type of training pertains to agency policies and procedures regarding sexual abuse/harassment prevention, detection, and response is consistent with their responsibilities.</p> <p data-bbox="240 1097 1484 1218">All of the volunteers and contractors who have contact with inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse/harassment, and informed how to report such incidents. The facility maintains documentation confirming that volunteers/contractors understand the training they have received. All individuals sign an acknowledgment of training form following each training session.</p> <p data-bbox="240 1254 363 1281">Conclusion:</p> <p data-bbox="240 1317 1417 1370">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding the requirements for volunteer and contractor training. No recommendations or corrective action is required.</p>

115.33	Inmate education
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>According to NCSO & WBCF policy, information about the facility's policy and procedure regarding sexual abuse/harassment is included in each facility's orientation program and is provided in a manner that is clearly understood by the inmate. During the intake process, inmates receive information explaining the agency's zero-tolerance policy regarding sexual and sexual harassment and how to report incidents or suspicions of sexual abuse/harassment.</p> <p>During interviews conducted with intake staff, they indicated that they provide a brochure and orientation handbook that contains this information to the inmate upon intake.</p> <p>During the intake process, all individuals receive pertinent information that is explained orally and also in writing regarding the facility's zero tolerance policy in reference to sexual misconduct and how to report incidents or suspicions of sexual misconduct.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of inmates given this information at intake is: 1,771 or 100 %. <p>Of the seventeen (17) inmate files that were reviewed, a copy of the signed acknowledgement from each inmate was retained in every file. The date of the signature coincided with the date that the inmate arrived at the facility.</p> <p>During the interviews with forty-four (44) inmates, each was asked if they could explain what they could recall from their PREA training. All inmates acknowledged receiving copies of the PREA information when they arrived at WBCF. The general responses they provided were; right to be free from sexual harassment and retaliation for reporting, where the numbers and addresses were located, and who to speak with if they had any questions or how to report if they needed to report an incident. Every inmate expressed safety at WBCF and that if they needed anything they were aware of how to make the necessary notifications to get assistance.</p> <p>Within 14 days of intake, the facility also provides comprehensive education to all newly transferred inmates in person regarding their rights to be free from sexual abuse/harassment and to be free from retaliation for reporting such incidents, and reporting policies and procedures for responding to such incidents.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of Inmates given this information within 30 days of intake is: 353 or 100 %. <p>WBCF provides inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. Random inmate interviews indicated that inmates have knowledge of PREA, as well as the means to report allegations.</p> <p>During the interview with the PCM, she was asked what the process was used in the event that an inmate is deemed outside of the scope of these already established training formats. She advised that she works with the appropriate staff to ensure that all inmates are able to comprehend the PREA related items to a comfortable level of comprehension.</p> <p>The NCSO policy requires that the inmate PREA orientation attendance is documented, and acknowledgement of receipt is signed. The signed receipt is also imaged into the inmate's electronic record. Copies of the electronic record were viewed during the on-site portion of the audit.</p> <p>During the site review, it was noted that PREA signs were present in all housing areas, and those areas where inmate traffic is present. The signs provide information to inmates on how to report sexual abuse and sexual harassment. It also provides the toll-free third-party reporting number. It is also noted that these phone calls are anonymous.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard for inmate education. No recommendations or corrective action is required.</p>

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1461 398">NCSO policy requires that investigators are trained in conducting sexual abuse investigations in confinement settings. The policy requires that the specialized training investigative staff receives meets PREA standards. In addition to the sexual assault investigations training, the investigators are also required to receive in-service training that specifically relates to sexual assault within custodial facilities, as well as any modifications to the PREA standards</p> <p data-bbox="240 432 1485 658">Each of the NCSO investigators has completed the training specific to conducting sexual abuse investigations in a confinement setting and are required to attend annual re-certification training. One (1) of the investigators was interviewed, and provided a copy of his training certificates. There is also additional training that includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, as well as the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The facility maintains documentation that investigators have completed the required specialized training in conducting sexual abuse investigations. This information was confirmed through the interviews with the investigator(s).</p> <p data-bbox="240 692 1453 748">The agency also maintains copies of the documentation that the investigators have completed the required specialized training in conducting sexual abuse investigations. Copies of the training logs were also provided with pre-audit materials.</p> <p data-bbox="240 781 523 808">115.34 (d) is not-applicable.</p> <p data-bbox="240 842 363 869">Conclusion:</p> <p data-bbox="240 902 1445 958">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard for specialized training: investigations. No recommendations or corrective action is required.</p>

115.35	<p>Specialized training: Medical and mental health care</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The NCSO & WBCF contracts with WellPath for medical and behavioral health care. According to NCSO and WellPath, medical and behavioral health staff receive specialized training and orientation training for new hires with regards to PREA. Medical and behavioral health staff also receive the training mandated under 115.31 and 115.32.</p> <p>WBCF policy requires that all medical and mental health care practitioners who work regularly in the WBCF receive the mandatory training, which includes:</p> <ol style="list-style-type: none"> 1. How to detect and assess signs of sexual abuse and sexual harassment; 2. How to preserve physical evidence; 3. How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and 4. How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <p>According to the Pre-Audit Questionnaire, all nineteen (19) or 100% of medical and mental health employees have received the training as required by the agency policy. The facility is responsible for maintaining documentation that staff have received the training. The facility provided training documentation pre-audit and additional documentation during the on-site phase for all healthcare staff. Also, medical, and mental health staff were interviewed during the Onsite Audit Phase. Staff members were exceptionally knowledgeable and were able to elaborate on answers to all questions.</p> <p>Policy states that in the event that medical or mental health personnel receive this training, they are required to ensure that the documentation of completed training is scanned and forwarded to the PREA Compliance Manager for filing.</p> <p>Those medical and mental health staff who were interviewed confirmed all forensic examinations would be conducted at the Sutter Medical Center in Roseville, CA. Medical and mental health staff confirmed they have been trained in:</p> <ul style="list-style-type: none"> • How to detect and assess signs of sexual abuse and sexual harassment; How to preserve physical evidence of sexual abuse; • How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and • How and to whom to report allegations or suspicions of sexual abuse and sexual harassment <p>It has been reported that forensic examinations are not done at WBCF and are referred out to the Sutter Medical Center in Roseville. However, both medical and mental health were aware of the procedures that would take place and what would happen following the examination. Staff members were knowledgeable of not only what their department was responsible for, but also other departments they collaborate with on a routine basis.</p> <p>Conclusion</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard for specialized training: medical and mental health care. No recommendations or corrective action is required.</p>
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115.41	Screening for risk of victimization and abusiveness
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1469 398">The NCSO has established internal classification procedures for screening inmates for risk of sexual abuse victimization or sexual abusiveness towards other inmates. WBCF staff complete the objective risk assessment during the initial booking process, and a subsequent follow-up re-assessment to ensure the inmate feels safe in the facility, and their assigned housing unit.</p> <p data-bbox="240 434 1445 488">During the interviews, it was identified that WBCF has built into its classification process's for the classification officers to conduct the re-assessment during their initial classification process, within the first 14-days in the facility.</p> <p data-bbox="240 524 858 551">The initial screening assessment that staff complete includes:</p> <ul data-bbox="282 600 1230 994" style="list-style-type: none"> • The age of the Inmate; • The physical build of the Inmate; • Mental, physical, or developmental disability; • Previously been incarcerated; • Criminal history (non-violent vs. violent); • Perceived to be or is gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; • Previous sexual victimization; • Detainee's own perception of vulnerability; • Detained solely for civil immigration purposes; • History of sexually abusive behavior; • Prior acts of sexual abuse; and • History of prior institutional violence or sexual abuse. <p data-bbox="240 1025 1445 1079">Following the completion of the assessment, each inmate receives a score, based on that scoring results in the following actions:</p> <ul data-bbox="282 1137 1203 1232" style="list-style-type: none"> • 0 – 5 Low risk for sexual abuse/to be abuser – No action taken • 6 – 11 Medium risk for sexual abuse/to be abuser – Notify Sergeant and Classification • 12 or above Hi risk for sexual abuse/abuser – Notify Sergeant, Medical and Classification <p data-bbox="240 1263 1481 1352">The screening is conducted of all inmates, and information obtained is then used to make determinations regarding housing, bed, work, education, and program assignments. Classification staff were interviewed and were extremely knowledgeable regarding the process, the policies and procedures in place with PREA.</p> <p data-bbox="240 1384 1490 1478">Of the Forty-Four (44) inmates interviewed relative to this provision, each recalled being asked questions relative to their concerns for sexual safety, and if they felt like they were going to harm themselves. Most inmates recalled being asked these questions when they went through the intake process in booking, and again when they arrived at WBCF.</p> <p data-bbox="240 1509 1465 1568">The Auditor reviewed the PAQ which indicated that within the past 12 months, 100% of 696 inmates were screened for the risk of sexual victimization or risk of sexually abusing other Detainees within 72 hours of their entry into the facility.</p> <p data-bbox="240 1599 1477 1724">A list of inmates' arrival dates and dates of evaluation demonstrate compliance with this standard. Using this list, the Auditor reviewed seventeen (17) random inmate files to ensure that each inmate had received the required PREA training upon arrival at the facility, and when that training was completed. All of the seventeen (17) inmate files had verification that the initial screening had occurred within 72-hours of arrival at WBCF.</p> <p data-bbox="240 1756 1374 1814">The intake screening assessment includes, at a minimum, the following criteria to assess inmate for risk of sexual victimization:</p> <ul data-bbox="282 1872 1307 2132" style="list-style-type: none"> • Any mental, physical, or developmental disability; • The age of the inmate; • The physical build of the inmate; • Previous incarceration; • Whether the criminal history is exclusively nonviolent; • Prior convictions for sex offenses against an adult or child; • Perception of the inmate as gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; • Previous sexual victimization;

- The inmate's own perception of vulnerability; and
- Whether the inmate is being detained solely for civil immigration purposes.

WBCF does not house inmates who are detained solely for civil immigration purposes. Case Management staff were interviewed and was extremely knowledgeable regarding the policies and procedures in place with PREA. They were able to articulate what the questions were on the forms and the reasoning behind the specific questions, going into detail on how the information is utilized when assigning housing, etc.

The auditor reviewed the screening instrument and verified that the instrument assesses all of the ten (10) required factors. The initial intake screening considers the following criteria to assess Inmates for risk of being sexually abusive:

1. Prior acts of sexual abuse;
2. Prior convictions for violent offenses; and
3. History of prior institutional violence or sexual abuse, as known to the facility.

WBCF staff complete the initial screening of intake, and for follow-up assessments, as required, to ensure the inmate feels safe in his assigned housing unit. It is evident that all inmates are receiving a screening, in compliance with PREA timelines.

The Auditor reviewed the PAQ which indicated that within the past 12 months, 353 inmates or 100% have been assessed for the risk of sexual victimization or risk of sexual abuse towards other inmates within 30 days of their entry into WBCF, based upon any additional, relevant information received since intake.

Each of the thirty-one (31) random, and thirteen (13) targeted inmates interviewed relative to this provision indicated that they recall being asked similar, if not the same questions relative to this standard. Most of the inmates recalled being asked these questions when they went through the booking process at intake, and again by one of the classification officers.

A review of the seventeen (17) files by the auditor revealed that the completed screening documents, both initial assessments and reassessments, were completed by staff at WBCF. Each instrument was completed and consistent with provision.

WBCF policy indicates that an inmate's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness. WBCF makes the recommendations for re-assessment ordinarily when they conduct a Sexual Abuse Incident Review of the case to abide with §115.41(g). Examples of reassessments were reviewed by the auditor.

NCSO policy also indicates that Inmates shall not be disciplined refusing to answer or not disclosing complete information related to questions regarding:

- Whether or not the Inmate has mental, physical, or developmental disability;
- Whether or not the Inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- Whether or not the Inmate has previously experienced sexual victimization; and
- The Inmate's own perception of vulnerability.

The classification staff members who were interviewed indicated that they do not discipline any inmate for their refusal to answer any of the questions on the assessment, explaining that they would explain the reason and attempt to solicit participation; however, no disciplinary action is taken should the inmate choose not to participate.

WBCF implements appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates. The NCSO classification files are electronic and access to specific information based on the employee's job title. Sensitive information can only be accessed by appropriate employees.

During interviews with medical staff and staff responsible for risk screening, the auditor was advised that access to the specific screening information contained in the database is restricted to a limited amount of people, which includes the Medical / Mental Health Staff, and Classification Specialists.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard that addresses screening for risk of sexual victimization and abusiveness. No recommendations or corrective action is required.

115.42	Use of screening information
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1485 362">According to NCSO policy, information from the required risk screening is used to determine housing, and program assignments, with the goal of keeping separate those Inmates at high risk of being sexually victimized from those at high risk of being sexually abusive.</p> <p data-bbox="240 398 1457 456">The completed assessments are contained in each of the inmate files. According to the PREA Coordinator, staff are given access to information in the database based on their “need to know”.</p> <p data-bbox="240 488 1490 613">During the interview process, the PCM indicated that every assessment completed by staff is factored into the placement and programming of each inmate. In addition, the inmates’ risk levels, housing, and programming factors are guided through the use of these various assessments, ensuring that every inmate, especially those at high risk of being sexually victimized, are separated from those at high risk of being sexually abusive.</p> <p data-bbox="240 645 1493 770">During the review of the seventeen (17) inmate records, the auditor was able to verify that classification documents contained the required information from the risk screening and was being utilized for the classification decisions being made. Each inmate’s individual circumstances and unique characteristics are taken into consideration throughout the classification process.</p> <p data-bbox="240 801 1481 963">During the interview with the staff who are responsible for risk screening, the Auditor was advised that because of the varied assessments that are being utilized, each inmate is individually evaluated. Staff utilize all assessments at their disposal (Classification, Medical / Mental Health referral form, etc.) Additional consideration is also given during the discussions staff have with each individual inmate when considering the following assignments; housing, bed, work, education, and programming.</p> <p data-bbox="240 994 1474 1120">NCSO policy directs that when deciding whether to assign a transgender or intersex inmate to a housing area for male or female inmates, and in making other housing and programming assignments, the facility considers on a case-by-case basis whether a placement would ensure the inmate’s health and safety, and whether the placement would present management or security problems.</p> <p data-bbox="240 1151 1469 1276">According to policy, the facility shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities or wings solely on the basis of such identification or status, unless such 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 such inmates.</p> <p data-bbox="240 1308 1481 1366">The placement and programming assignments for each transgender or intersex inmate is required to be reassessed at least twice each year to review for any threats to safety experienced by the Inmate. Items that are considered are:</p> <ol data-bbox="276 1420 1485 1617" style="list-style-type: none"> <li data-bbox="276 1420 1350 1478">1. A transgender or intersex Inmate’s own views with respect to his or her own safety shall be given serious consideration. <li data-bbox="276 1487 1353 1514">2. Transgender and intersex Inmate shall be given the opportunity to shower separately from other Inmates. <li data-bbox="276 1523 1485 1617">3. The facility shall not place lesbian, gay, bisexual, transgender, or intersex Inmate in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment. <p data-bbox="240 1648 1310 1675">Prior to auditors arrival and during the on-site portion there were no transgender inmates housed at WBCF.</p> <p data-bbox="240 1706 1469 1765">According to policy transgender or intersex inmates are reassessed at least twice per year to review the appropriateness of placement and programming assignments, and to assess any threats to safety experienced by the inmate.</p> <p data-bbox="240 1796 1493 2092">During the interview with the PCM, the auditor was advised that any inmate who identified as at risk for victimization would be housed separately from any inmate who identified as at risk for abusiveness and housed in separate housing areas. The PCM further advised that when transgender Inmates are housed at the facility, staff screen the Inmate to determine the appropriate housing. The PCM also stated that all considerations are made to ensure the inmate’s health and safety, as well as whether the placement would present management or security problems. In addition, a transgender/intersex Inmates’ views with respect to his or her own safety would be given serious consideration in placement and programming assignments, and that they would not be segregated and housed safely within the general population. The PCM confirmed that these inmates are reviewed twice per year, and that they would be afforded the opportunity to shower separately from the other Inmates.</p> <p data-bbox="240 2123 1385 2150">The random staff who were interviewed also indicated that if a transgender or intersex inmate requested to shower</p>

separately, after they received the appropriate authorization from their supervisor, the transgender or intersex inmate would be allowed to shower separately. The PCM also confirmed that in those instances, the inmate would also be provided documentation that allowed them to use the shower area before or after the other inmates are allowed to shower.

If the transgender or intersex inmate does not wish to shower separately from other inmates, their refusal or acceptance of separate shower times must be documented, and included in their inmate official file.

WBCF and NCSO policy directs that LGBTI inmates shall not be placed in dedicated units or wings solely on the basis of this identifying or status, unless the placement is in a dedicated unit wing established in connection with a consent decree, legal settlement, or legal judgement for the purpose of protecting these inmates. The two (2) inmates who were identified as bisexual/gay were interviewed and reported they have no knowledge of the housing assignments being based on how they identify. They reported feeling comfortable in their housing units, and do not feel as though they are being discriminated against.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard requiring the use of screening information. No recommendations or corrective action is required.

115.43	Protective Custody
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>A review of NCSO & WBCF policy, inmates at a high risk for sexual victimization are only placed into involuntary segregation housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no alternative means of separation from likely abusers. If an assessment cannot be immediately made, the inmate may be housed for less than 24 hours in segregation while the assessment is completed.</p> <p>During the past twelve (12) months there have not been any inmates placed into involuntary administrative or punitive segregation at WBCF, in accordance with this standard.</p> <p>The auditor interviewed the Jail Commander and the PCM specific to this issue and both confirmed that there have not been any inmates placed in protective custody for over a year.</p> <p>A review of NCSO policy indicates that inmates placed in involuntary segregation have reasonable access to programs and services including, but not limited to, educational services, commissary services, library services, social services, counseling services and religious guidance. If the unit restricts access to programs, privileges, education or work opportunities, the unit must document:</p> <ul style="list-style-type: none"> • The opportunities that have been limited; • The duration of the limitation; and • The reasons for the limitations. <p>A staff member who supervises inmates in segregated housing was interviewed regarding this subsection. He reported inmates have access to certain programming/education and privileges. If for some reason any of these are restricted it is documented in the inmates classification screen, in the jail management system indicating the following reasons:</p> <ol style="list-style-type: none"> 1. The basis of concern for the Inmate's safety. 2. The reason why no alternative means of separation can be arranged. <p>NCSO policy requires that every 30 days the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.</p> <p>During the past twelve (12) months there have been no inmates placed into involuntary administrative or punitive segregation in accordance with this standard. As a result, no inmates could be interviewed relative to this provision.</p> <p>The Jail Commander was interviewed regarding placement in involuntary segregation, and he reported it is a rare occurrence for their facility. He reported a review is conducted at the 24-hour mark, and they have not had anyone remain more than 30 days. The interview confirmed that WBCF prohibits the placement of Inmates at high risk for sexual victimization or who have alleged sexual abuse in involuntary segregated housing in lieu of other housing areas, unless an assessment has determined that there is no available alternative means of separation from potential abusers.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding protective custody. No recommendations or corrective action is required.</p>

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1485 463">NCSO policy provides multiple methods for an inmate to privately report allegations of sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Such allegations may be reported verbally to any staff member, in writing using a facility grievance form, or utilizing the inmate payphones contacting toll-free the PREA Hot-line number, the Domestic Violence Sexual Assault Coalition (Community Beyond Violence), the National Sexual Assault Hotline, or the California Attorney General's Office. All calls are toll-free and are not on a recorded line.</p> <p data-bbox="240 499 1469 620">All of the previously identified references are located in the Inmate Handbook, which is provided to each inmate at booking. These handbooks are available in both English & Spanish, in the event that an inmate feels they are being pressured for sexual favors or to violate any institutional rule, the handbook provides the appropriate direction and guidance to the inmates.</p> <p data-bbox="240 656 1465 714">Inmate phones have the Helpline instructions posted in a conspicuous location by the phones in all housing units, and also have a pre-recorded message advising the inmate caller prior to their ability to make personal calls.</p> <p data-bbox="240 750 1485 840">During the site review, it was observed by the auditor that PREA signs were displayed, in both English and Spanish, near the phones, on bulletin boards, and in housing units advising inmates of the multiple ways to report. The auditor tested the help line in several housing units. The introduction to the phone servicing system advises of the prompts of making a PREA call.</p> <p data-bbox="240 875 1430 934">Of the thirty-one (31) random and thirteen (13) targeted inmates interviewed, each reported that they were aware of the numerous methods to report incidents of sexual abuse or sexual harassment.</p> <p data-bbox="240 969 1485 1122">During the formal and informal interviews at WBCF, each staff member interviewed indicated that they would accept a report from the inmate and provide it to their supervisor for further direction. They also shared that inmates could report several different ways which includes telling a staff member, telling their family, submitting it in writing on grievance form, or utilizing the telephone process(s). Staff who were interviewed stated that if the inmates reported sexual abuse or harassment, they would immediately contact their supervisor and then document it in a report.</p> <p data-bbox="240 1158 1465 1247">The facility provides a way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency, and is able to receive and immediately forward inmate's reports of sexual abuse and sexual harassment to the facility's officials, allowing the inmate to remain anonymous upon request.</p> <p data-bbox="240 1283 1465 1373">Allegations of sexual abuse or sexual harassment reported through the third-party hotline will remain confidential and may remain anonymous as the request of the reporting party. The calls are referred to the NCSO PREA Coordinator for follow-up.</p> <p data-bbox="240 1408 1465 1529">During interviews with staff, they indicated they were aware of the process's, and feel comfortable reporting allegations privately to their supervisor, or to the PREA Compliance Manager. Staff further advised that in addition to the posters, and training that they receive, they are also in possession of a small pocket card that provides them with the PREA processes and procedures to follow in the event of a report of Sexual Abuse or Sexual Harassment.</p> <p data-bbox="240 1565 1493 1686">All of the inmates interviewed at WBCF were able to identify the various methods that they could use to report sexual abuse or sexual harassment that had either happened to them, or to someone else, and that they did not need to provide their name if they did not wish to. Each inmate was also able to articulate that they would also be able to contact friends or family outside if they needed to contact someone about an incident that occurred at the facility.</p> <p data-bbox="240 1722 1474 1874">WBCF policy indicates that those inmates who are being detained solely for civil immigration purposes are provided information on how to contact their relevant consular officials and relevant officials within the department of homeland security. The inmate handbook also provides relevant information which states that while they are detained by the Department of Justice, United States Marshals Service, they have the right to be safe and free from sexual harassment and sexual assaults.</p> <p data-bbox="240 1910 1465 2000">According to NCSO policy, staff shall immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or harassment, whether it is regarding an inmate or another staff member. Staff are required to report any information to a supervisor, and promptly document any report of sexual abuse or harassment.</p> <p data-bbox="240 2036 1430 2125">All of the staff interviewed (formal, informal, and random) indicated that if they received a complaint of Sexual Abuse or Sexual Harassment, whether it is made verbally, in writing, anonymously, or from a third party, they would ensure to document the report, and relay the information to the immediate supervisor.</p>

Staff, inmate family members, or others may report incidents or suspected incidents of sexual abuse and sexual harassment of inmates by also calling the toll free third-party hotlines identified, in addition staff may also privately report sexual abuse and sexual harassment of inmates to Human Resources. These calls will be referred to the NCSO PREA Coordinator.

During the interviews with staff, every staff member further advised that there are several methods for them to privately report sexual abuse of inmates.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets Standard regarding inmate reporting. No recommendations or corrective action is required.

115.52	Exhaustion of administrative remedies
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1477 398">The NCSO has an administrative procedure to address inmate grievances regarding sexual abuse. The facility does not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse. The purpose of this policy is to enable the development, implementation, and operation of a grievance program for inmates within the NCSO. The grievance procedure is outlined in the inmate handbook.</p> <p data-bbox="240 434 1477 524">According to the NCSO, a time limit is not imposed on when an inmate is allowed to submit a grievance regarding an allegation of sexual abuse. Time limits to any portion of a grievance that does not allege an incident of sexual abuse shall be managed in accordance with the established NCSO grievance processes.</p> <p data-bbox="240 560 1477 685">Inmates shall not be required to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. In addition, any inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and a grievance of this nature shall not be referred to a staff member who is the subject of the complaint.</p> <p data-bbox="240 721 1477 810">According to the NCSO policy, upon receipt of each grievance alleging sexual abuse, a number is assigned, and the date of receipt shall be indicated on the form by the Operations Lieutenant. Each grievance alleging sexual abuse shall be investigated and resolved within ninety (90) days from the date of receipt.</p> <p data-bbox="240 846 1477 1034">In all cases, the original and one copy of the grievance report shall be returned by the Operations Lieutenant to the inmate, with one copy being retained for the inmate's files. In all cases, a final decision shall be made on any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance, a computation of the 90-day time period shall not include time used by inmates for preparing an administrative appeal; if the 90-day time period is insufficient to make an appropriate decision, an extension of up to 70 days may be granted. The inmate shall be notified in writing of the extension and a date by which the decision will be made.</p> <p data-bbox="240 1070 1477 1160">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, the inmate may consider the absence of a response to be a denial at that level and may proceed to the next level of appeal.</p> <p data-bbox="240 1196 1477 1285">In the past 12 months, there has been a total of six (6) grievances with identifying PREA subject matter. The auditor was provided copies of each grievance for review. Each grievance was handled as an emergency grievance, each met all required deadlines. Each grievance was determined to be unfounded.</p> <p data-bbox="240 1321 1477 1375">The Auditor interviewed one (1) inmate who had previously reported sexual abuse. The inmate who reported abuse indicated that their grievance has since been resolved.</p> <p data-bbox="240 1411 1477 1536">The NCSO allows third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and are also permitted to file such requests on behalf of the inmates. Regulations allow a third party to assist an inmate in initiating or assist in reporting allegations of sexual abuse or sexual harassment through the grievance process.</p> <p data-bbox="240 1572 1477 1626">In the past 12 months, there were no grievances alleging sexual abuse filed by inmates in which the inmate declined third-party assistance, containing documentation of the inmate's decision to decline.</p> <p data-bbox="240 1662 1477 1787">NCSO policy has identified that "emergency grievances" are those grievances for which disposition according to the regular time limits would subject the inmate to a substantial risk of personal injury, or cause other serious and irreparable harm to the inmate. The NCSO inmates are required to indicate on the face of the grievance form the nature of the emergency, which are forwarded immediately, without substantive review, to the Operations Lieutenant.</p> <p data-bbox="240 1823 1477 1975">Any inmate who believes that he/she or any other inmate is in substantial risk of imminent sexual abuse may file an emergency grievance with any supervisor. The supervisor shall determine whether immediate action is responsibly necessary to protect the inmate, and shall provide an initial response within 48 hours of receipt, and a final decision rendered within five calendar days. The initial response and final decision shall document whether the inmate was in substantial risk of imminent sexual abuse and the action taken.</p> <p data-bbox="240 2011 1477 2065">According to the PAQ submitted, during the twelve (12) months preceding the audit, there have been no emergency grievances filed alleging sexual abuse by staff.</p> <p data-bbox="240 2101 1477 2154">Further NCSO policy identifies that an inmate may not be disciplined for filing a grievance related to alleged sexual abuse only if it is determined that inmate filed the grievance in bad faith.</p>

According to the PAQ, there were no inmate grievances alleging sexual abuse that resulted in disciplinary action by an agency against the inmate for having filed the grievance in bad faith.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding exhaustion of administrative remedies. No recommendations or corrective action is required.

115.53	Inmate access to outside confidential support services
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1477 398">The facility provides inmates access to victim advocate 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. The facility enables reasonable communications between inmates and these organizations and agencies, in as confidential manner as possible.</p> <p data-bbox="242 430 1477 490">The WBCF, on occasion, may detain individuals solely for civil immigration purposes, and makes available foreign consulate general addresses for all foreign nationals through the law library.</p> <p data-bbox="242 521 1477 613">Of the thirty-one (31) random and thirteen (13) targeted inmates that were interviewed regarding this provision, including those inmates who had previously reported sexual abuse, all responded that they were able to articulate their knowledge on how to report incidents of sexual abuse or sexual harassment.</p> <p data-bbox="242 645 1477 736">During the on-site portion, the Auditor observed, in the various locations, PREA posters throughout the facility, in both English and Spanish, placed onto the walls in every living area, work areas, visiting area, etc. These posters referenced the Department's commitment to providing an environment that is free from sexual abuse and sexual harassment.</p> <p data-bbox="242 768 1477 927">The facility has an MOU in place with the Community Beyond Violence, which provides confidential advocacy services to inmates in need. The organization provides advocacy services to accompany and support a victim through the forensic medical examination process and investigatory interviews. Advocates also provide support, crisis intervention, information, and referrals upon request from WBCF. The advocacy center can only release information when allowed through a written, time-limited consent form from the center. The contact information is provided to inmates upon intake into the facility.</p> <p data-bbox="242 958 1477 1050">Of the thirty-one (31) random and thirteen (13) targeted inmates that were interviewed regarding this provision, all inmates indicated that even though they believed that the information would be kept in the strictest confidence, they were aware that if security needs were present, some of the information might be given to facility staff.</p> <p data-bbox="242 1081 1477 1240">The Auditor spoke with a representative from the Community Beyond Violence, who indicated that a victim advocate will be made available for the inmate before, during and following the examination. She advised that in addition to providing for any emotional support issues, another one of the responsibilities of the advocate is to inform the victim that some of the issues that are discussed will either need to be provided to the facility staff, both medical and non-medical, for the purposes of institutional security, the PREA investigation, and further medical and mental health services.</p> <p data-bbox="242 1272 363 1301">Conclusion:</p> <p data-bbox="242 1332 1426 1393">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding Inmate access to outside confidential support services. No recommendations or corrective action is required.</p>

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1493 398">Third party reporting information is readily available to all inmates through the orientation manual provided upon intake. In addition, the agency's website which outlines how a third party can report allegations of sexual abuse and sexual harassment is easily accessible. The website provides a telephone number and an email address to report an allegation of sexual abuse or sexual harassment.</p> <p data-bbox="244 432 1485 557">According to NCSO policy, staff, inmate family members, or others can report incidents or suspected incidents of sexual abuse ne either emailing the Sheriff, calling the Jail Commander, or by calling a toll free third-party hotline. Allegations of sexual abuse or sexual harassment reported through the third-party hotline shall be confidential and may remain anonymous at the request of the reporting party. These calls are all referred to the NCSO PREA Coordinator.</p> <p data-bbox="244 591 363 618">Conclusion:</p> <p data-bbox="244 651 1410 707">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding third-party reporting. No recommendations or corrective action is required.</p>

115.61	Staff and agency reporting duties
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1489 398">According to NCSO policy, all staff members shall immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred, whether or not it is a NCSO facility, retaliation against inmates or staff who reported an incident, and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.</p> <p data-bbox="240 434 1461 492">Staff can report to a supervisor or the PREA Compliance Manager. Staff shall not reveal any information related to sexual abuse reports to anyone other than to the extent necessary to provide treatment and investigative decisions.</p> <p data-bbox="240 528 1477 613">Unless otherwise precluded by federal, state, or local law, as well as the initiation of services, medical and mental health practitioners shall be required to report sexual abuse and to inform inmates of the practitioner's duty to report, as well as the limitations of confidentiality.</p> <p data-bbox="240 649 1484 837">Identified during the interviews with the ten (10) random staff and twenty-three (23) specialized staff, each of the staff interviewed were aware of this requirement, and were able to explain how they would immediately report an allegation of sexual abuse in a manner compliant to the policy. They further indicated that the information they received from the victim should remain confidential, with them only notifying staff that had a need to know, such as their supervisor and medical staff. Interviews with the random and specialized staff at all levels of the facility indicated that all PREA related allegations/reports go to the PCM and to the investigative staff.</p> <p data-bbox="240 873 1484 963">If the alleged victim is under the age of 18 or considered a vulnerable adult under a state or local vulnerable persons statute, the facility shall report the allegation to the designated state or local services agency under applicable mandatory reporting laws. This provision (d) is not applicable.</p> <p data-bbox="240 999 1468 1124">The Auditor interviewed the Jail Commander who indicated that they do not have anyone under the age of 18 housed at WBCF, nor are they responsible to house juvenile inmates. However, he indicated that in the event that they did have a youthful inmate, the facility would report any abuse allegation to the appropriate agency, as required by law, and that any allegations of sexual abuse or harassment would be reported to both the PCM and the designated institutional investigator.</p> <p data-bbox="240 1160 1489 1285">During the interviews with the medical and mental health staff, it was confirmed that they were also aware of this requirement, and were able to explain how they would immediately report an allegation of sexual abuse. They were also able to articulate their understanding of the policy, and their rights and obligations, and that even though there was a consent waiver signed, they are required to advise the inmate of the limitations of confidentiality prior to the initiation of services.</p> <p data-bbox="240 1321 1484 1447">During interviews with the Jail Commander, the PREA Coordinator, and the PREA Compliance Manager, the auditor was informed that youthful inmates are housed at the Nevada County Juvenile Hall. For verification purposes, NCSO provided an age analysis to the auditor with the age of each inmate being housed at the facility, in addition during interviews staff confirmed that juvenile offenders are not housed at WBCF.</p> <p data-bbox="240 1482 363 1509">Conclusion:</p> <p data-bbox="240 1545 1409 1603">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding staff and agency reporting duties. No recommendations or corrective action is required.</p>

115.62	Agency protection duties
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>NCSO policy requires staff to take immediate action once an allegation of sexual abuse or sexual harassment is reported. Policy further outlines staff responsibilities if they learn an inmate is at immediate substantial risk of sexual abuse. The file review process, which is conducted weekly by Classification Staff, is utilized to ensure the least restrictive housing is appropriately implemented.</p> <p>During the past 12 months:</p> <ul style="list-style-type: none"> • The number of times the agency or facility determined that an Inmate was subject to substantial risk of imminent sexual abuse was: 0 • If the agency or facility made such determinations in the past 12 months, the average amount of time that passed before taking action was: 0 • The longest period of time elapsed before taking action was: 0 <p>The auditor reviewed several offender files, which reflected that these reviews are being conducted as identified. Each file met compliance with standards, as required.</p> <p>During the interview with the Sheriff, she advised that the agency takes immediate action in order to protect the inmate. This is done by placement in investigative status, removing the inmate from general housing and placing them into temporary housing during the investigation.</p> <p>Policy and practice ensure that investigations are timely and thorough. A review committee will be convened to review housing, job changes, transfers, and permanent placement into separate housing, are several of the intervention strategies designed to separate the victim from the predator. Through the investigation process and committee review, responsible parties, if known, are held accountable for their action.</p> <p>During the interview with the Jail Commander, he stated that if he received an allegation, he would take immediate action to protect the inmate. This may require that they move the inmate into temporary housing until the investigation can be concluded.</p> <p>During random staff interviews, all staff indicated that if they received an allegation from an inmate, they would immediately separate the victim and suspect, preserve any evidence, and contact their supervisor. Staff also indicated that they would determine if the inmate or suspect required medical or psychological attention. After dealing with any immediate issues, all custody staff interviewed indicated that they would make sure that all evidence protocols were followed such as not allowing the victim to shower, utilizing the restroom facilities, ensure the appropriate collection of physical evidence, obtaining any video, identifying witnesses, and documenting all items into the report.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all available evidence WBCF, the auditor has determined that WBCF meets standard regarding agency protection duties. No recommendations or corrective action is required.</p>

115.63	<p>Reporting to other confinement facilities</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>NCSO policy requires that if WBCF receives a report that an inmate has been a victim of sexual abuse or harassment while incarcerated at another facility or under the supervision of another facility, WBCF is responsible to adhere to the following protocols: As soon as possible, but no later than 72 hours of receiving the report, the Jail Commander shall notify the head of the office/facility where the alleged abuse occurred.</p> <p>The Jail Commander was able to elaborate on the procedures in place when WBCF receives an allegation from another facility/agency. He is provided updates from the investigators and PCM throughout the investigation.</p> <p>The PREA Compliance Manager is required to maintain the documentation reflecting that the Jail Commander has provided such notification. Incident reports, logs, emails, etc., which will serve as sufficient documentation for the purposes of this standard.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of allegations the facility received that an inmate was abused while confined at another facility: 0 • The number of allegations of sexual abuse the facility received from other facilities: 0 <p>During the interview with the Jail Commander, the auditor was advised that if another agency or a facility within another agency refers allegations of sexual abuse or sexual harassment that occurred within another facility, the designated point of contact would be the Jail Commander of that facility.</p> <p>During an interview with the Jail Commander, the auditor confirmed that when WBCF receives an allegation from another facility or agency that an incident of sexual abuse or sexual harassment occurred at WBCF, then WBCF would initiate an investigation. He further stated that he will also make notifications up his chain of command, and that all of this must occur within the first 72 hours following receipt of the information</p> <p>Conclusion</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding reporting to other confinement facilities. No recommendations or corrective action is required.</p>
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115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

According to policy, WBCF utilizes a coordinated response plan, a written plan that establishes reports of sexual abuse and sexual harassment after learning of an allegation that an inmate was sexually abused. According to the plan, the first staff responder shall:

- Contact the Sergeant or Officer in Charge;
- Separate the alleged victim and assailant, and ensure there is no physical, verbal or visual contact between the victim and suspect, whenever possible;
- Request medical assistance as appropriate;
- Establish a crime scene to preserve and protect any evidence until steps can be taken to collect any evidence;
- If time period allows request that the alleged victim, and the alleged abuser, not take any actions that could destroy physical evidence (washing, brushing teeth, changing clothes, etc.)
- If the alleged sexual assault is reported or discovered more than 72 hours after the incident, secure the alleged crime scene (if feasible), placed the alleged suspect (if identified) into administrative segregation. A medical opinion shall be obtained to determine whether the victim is to be taken for a forensic examination. In addition, the victim should be asked if he/she retained any evidence of the assault.
- Attempt to obtain the identity of the suspect and any possible witnesses, but do not interview the victim further. Secure any witnesses.
- Do not attempt to interrogate the alleged suspect unless circumstances make it unavoidable.

If medical and mental health staff are not available, staff first responders shall take preliminary steps to protect the victim and notify on-call medical or mental health staff. The nature and scope of treatment is determined by medical and mental health practitioners in accordance with NCSO policies.

First responder duties are outlined on their PREA First Responder Cards as well as the PREA Incident Response Procedures.

The Auditor reviewed the PREA training curriculum which reflected that all staff, volunteers, and contractors receive this essential training which provides the first responder responsibilities, and obligations of any staff, volunteer, or contractor, whoever receives the information first. As a First Responder, these employees are trained to take the appropriate steps to isolate and contain the situation, secure the scene, separate the alleged victim from the suspect, remove uninvolved inmates, and relay observations.

According to NCSO policy, if the first staff responder is not a security staff member, the responder will be required to request that the alleged victim not take any actions that could destroy physical evidence, follow the steps listed above, and notify a security staff member.

In the past 12 months, the number of:

- Allegations that an Inmate was sexually abused: 3
- The number of instances where WBCF security staff separated the alleged victim and abuser: 0
- The number of allegations where staff were notified within a time period that still allowed for the collection of physical evidence: 0

During the interview with the Jail Commander, he indicated that First Responder staff have been trained on the PREA processes and participate in regular on-going training, conducted to ensure competency and compliance.

During the interview with the Shift Commander, he advised that in order to ensure that he completes all required items, he utilizes a checklist. A copy of this checklist was reviewed and reflected all of the required notifications in one column, and all of the required procedures in another column, as well as a corresponding date/time completion.

During interviews with non-custody staff first responders, all indicated that they would first notify custody staff, while also directing the alleged victim to not destroy evidence and would secure the scene as best as they could. They all further stated that all information they obtained would be kept confidential except for the staff that needed to know. They further advised that they were trained in the PREA process at Orientation and during In-Service Trainings, reminding them of their actions and the importance of both the immediate and long-term PREA process.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding staff first responder duties. No recommendations or corrective action is required.

115.65	<p>Coordinated response</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>WBCF utilizes the Coordinated Response as a written plan to establish reports of sexual abuse and sexual harassment. The procedures further identified in this policy provides a systematic notification and response process following a reported sexual abuse incident, and further advises that the first staff member having knowledge of the incident shall immediately report the allegation to a security supervisor. The security supervisor is then required to provide notification and response procedures by first notifying the highest-ranking security supervisor on duty, and then following the established notification protocols.</p> <p>The PREA Checklist is completed for each report, which is ordinarily initiated by the Shift Supervisor. For administrative reports, or reports otherwise not reported through the Shift Supervisor, the PREA Checklist shall be initiated and completed by the PCM.</p> <p>The response plan ensures that victims receive immediate protection and immediate and on-going medical and behavioral health care and support services as well as to ensure that investigators are allowed to obtain useable evidence.</p> <p>Any inmate who alleges that they have been the victim of sexual abuse is offered immediate protection from the assailant. NCSO staff shall not make judgments or assumptions about the credibility of a victim, suspect, or witness of sexual abuse.</p> <p>The auditor was provided a copy of the PREA Checklist Forms. The forms are used in the facility's coordinated response once an allegation of sexual abuse or sexual harassment is received. It is a checklist that is a checks and balances to make sure all parties are notified, and all protocols are followed according to PREA Standards.</p> <p>During the interview with the Jail Commander, he stated that the coordinated response has been identified in the provided policies. He further indicated that all staff have to do is follow the Sexual Abuse Investigation Checklist, which will provide them with the requirements and expectations, and who they are required to contact. He further indicated that training is provided regularly to staff through In-Service Training, On- the-Job training, and through shift briefings.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding coordinate response. No recommendations or corrective action is required.</p>
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115.66	Preservation of ability to protect inmates from contact with abusers
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1497 398">The NCSO entered into a renewed collective bargaining agreements in 2019, 2020, and 2021 for correctional staff, managers and supervisors, which were included with the PAQ. The 3 jail contracts: Deputy Sheriff's Association (7/1/19 to 6/30/22), General Employees Unit Local 39 (7/1/21 to 6/30/24), Sheriff's Management Association for safety supervisory and management employees (7/1/20 to 6/30/22).</p> <p data-bbox="240 434 1497 524">Following a review of all three contracts verified that there are no limits on 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.</p> <p data-bbox="240 560 691 586">115.66 (b): This subsection is not applicable.</p> <p data-bbox="240 622 1469 676">During the interview with the Sheriff, the auditor was advised the NCSO/WBCF has updated and current contracts, with the associated organizations, as reviewed.</p> <p data-bbox="240 712 355 739">Conclusion</p> <p data-bbox="240 775 1469 864">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding the preservation of ability to protect inmates from contact with abusers. No recommendations or corrective action is required.</p>

Auditor Overall Determination: Meets Standard

Auditor Discussion

According to NCSO policy all inmates and staff who report sexual abuse, sexual harassment, or sexual misconduct, or who cooperate with sexual abuse, sexual harassment sexual misconduct investigations shall be protected from retaliation.

The policy indicates that the Jail Commander or the authorized designee shall assign a supervisor to monitor, for at least 90 days, the conduct and treatment of inmates or staff who report sexual abuse, sexual harassment, or sexual misconduct as well as inmates who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. The assigned supervisor should consider inmate disciplinary reports, housing or program changes, negative staff performance reviews, or reassignment of staff members. Monitoring may continue beyond 90 days, if needed. Inmate monitoring shall also include periodic status checks.

The Jail Commander or his designee have been identified as the individual(s) who are required to monitor for incidents of retaliation, During the on-site portion of the audit, in addition to discovering that the retaliation monitor (Jail Commander) was unaware of his responsibilities as the Retaliation Manager, in addition, there was no one who had been identified as the individual(s) responsible for monitoring, nor were there were processes or procedures to accomplish what was documented in the NCSO policy.

The policy language further stated that the Jail Commander should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts to ensure the staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities. This policy language is to broad regarding who is responsible, along with their specific roles and responsibilities.

Policy language indicated that the facility employs multiple protection measures, such as housing changes or transfers for 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; however, when the auditor was on-site no one was able to provide examples of these identified options.

During the interview with the Sheriff, she advised that there are policies in place that have been designed to prevent and monitor retaliation against inmates and staff.

During the interview with the Jail Commander, he reinforced that retaliation will not be tolerated in his facility, and that the staff have been trained to understand that inmates are able to speak out without fear of retaliation. He further stated that if retaliation does occur, those staff members participating in the retaliation will go through an investigation, which includes the disciplinary process, if necessary. However, he was unaware of that he had been identified as the retaliation monitor or his associated responsibilities of this assignment.

In the past 12 months, the number of times an incident of retaliation occurred: 0

The obligation to monitor for retaliation shall terminate only if the allegation is determined to be unfounded.

In the past 12 months the facility had three (3) substantiated allegations of sexual abuse, in each instance there was no documentation indicating that retaliation monitoring was considered, offered, or initiated.

During the Interviews with both the Sheriff and the Jail Commander, they advised that if there is evidence of retaliation, the administration will take appropriate action immediately. They advised that these actions can include work and housing assignment changes, unit transfers, no inmate contact position, or mental health for inmates. The administration evaluates each situation and ensures immediate action is taken to prevent retaliation.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF does not meet standard for agency protection against retaliation. Corrective action is required.

Corrective Action:

- Identify staff, other than command staff, responsible for conducting retaliation monitoring at WBCF.
- Development of monitoring mechanisms, processes, or procedures on how retaliation monitoring is conducted at WBCF.
- Development of monitoring and tracking forms.
- Train designated staff regarding associated duties

Auditor will conduct a 60-day status review on 2/17/22 to determine if corrective actions have been implemented and are institutionalized. Corrective action recommendations must be implemented by the end of the 180-day Corrective Action Period: 6/17/22

Corrective Action - COMPLETED

PREA policy was updated to reflect all requirements as required by standard. NCSO PREA policy 606.11 mandates that retaliation against any employee or inmate for reporting or cooperating with a sexual abuse investigation is prohibited, and that retaliation in any form is categorized as employee misconduct. The policy also includes protection measures that allow for housing changes for inmate victims and abusers, it also addresses the removal of alleged staff of inmate abusers from contact with the victims. The policy further includes a component that includes for the emotional support services for both inmates and staff who fear retaliation for reporting sexual abuse or sexual harassment for cooperating with investigations.

Further, per NCSO PREA policy 606.11, it is mandated that the facility commander ensures that the conduct and treatment of inmates or staff who have reported sexual abuse or have cooperated with the investigation is monitored for any changes that suggest retaliation for at least ninety (90) days following their report or cooperation. Policy further allows for an additional period of extended monitoring of up to an additional ninety (90) days, for a total of 180 days. In addition, NCSO further developed and implemented a monitoring system and plan that is facilitated by classification personnel, utilizing a monitoring document that ensures that all interactions with the monitoring party are documented during the period of observation.

During the corrective action period an incident occurred that necessitated a period of retaliation monitoring. Copies of all documentation was supplied to the auditor. A review of all documentation reflects that staff followed all processes and completed all required monitoring documents in accordance with the updated policy, as required.

~~Auditor has determined that the Agency meets compliance with standard 115.67.~~

115.68	Post-allegation protective custody
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1485 398">According to NCSO policy, those inmates at high risk for sexual victimization shall not be placed in protective custody unless an assessment of all available alternatives has been made and it is determined there is no available alternative means of separation from likely abusers. If the assessment cannot be completed immediately, the unit may hold the inmate in involuntary protective custody while completing the assessment, for a period no longer than 24 hours.</p> <p data-bbox="242 430 1481 490">If an involuntary protective custody assignment is made because of a high risk for victimization, the following shall be clearly documented in the inmates Classification screen in the Jail Management System:</p> <ol data-bbox="277 542 995 602" style="list-style-type: none"> 1. The basis for concern for the inmates safety. 2. The reason why no alternative means of separation can be arranged. <p data-bbox="242 631 1485 692">Inmates shall be assigned to protective custody only until an alternative means of separation from likely abusers is arranged, for a period no longer than 30 days.</p> <ul data-bbox="280 743 1490 804" style="list-style-type: none"> • The number of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing for between one to 24 hours awaiting completion of an assessment is: 0 <p data-bbox="242 833 1441 893">The facility utilizes the Jail Management System to retain the classification documents used to evaluate the needs of the inmate.</p> <ul data-bbox="280 945 1490 1005" style="list-style-type: none"> • The number of inmates at risk of sexual victimization who were assigned to involuntary segregated housing in the past 12 months for longer than 30 days while awaiting alternative placement was: 0 <p data-bbox="242 1034 1098 1064">Sample documentation was reviewed by the Auditor at the on-site portion of the audit.</p> <ul data-bbox="280 1115 1485 1243" style="list-style-type: none"> • The number of case files of inmates who allege to have suffered sexual abuse who were held in involuntary segregated housing in the past 12 months, the number of case files that include BOTH (a) a statement of the basis for facility's concern for the inmate's safety, and (b) the reason or reasons why alternative means of separation could not be arranged: 0 <p data-bbox="242 1272 1390 1332">Policy indicates that every 30 days, Classification shall afford each inmate a review to determine whether there is a continuing need for protective custody.</p> <p data-bbox="242 1361 1469 1525">During the interview with the Jail Commander, he indicated that he has not placed any inmates into involuntary segregation as a result of risk of victimization during the past 12 months. He reported a review is conducted at the 24-hour mark, and they have not had anyone remain more than 30 days. He further indicated that in those instances where inmate safety considerations are required, and that they take immediate action to ensure the safety and security of the inmate, staff, and the facility.</p> <p data-bbox="242 1554 363 1583">Conclusion:</p> <p data-bbox="242 1612 1410 1673">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding post-allegation protective custody. No recommendations or corrective action is required.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 208 451 235">Auditor Discussion</p> <p data-bbox="240 271 1414 331">It is the policy of the NCSO to assist sexual assault victims in a supportive manner, and to conduct timely and diligent investigations enhancing the probability of a successful prosecution.</p> <p data-bbox="240 360 1490 555">According to NCSO policy, investigations of sexual abuse, threatened sexual abuse, and sexual harassment shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. NCSO policy also identifies that investigations, whether criminal or administrative shall include, at a minimum, interviews with alleged victims, suspected perpetrators, and witnesses; a review of prior complaints and reports of sexual abuse involving the alleged perpetrator; review of video surveillance where available; and any evidence, including physical evidence, which shall be collected in accordance with the uniform evidence protocols.</p> <p data-bbox="240 584 1382 645">The NCSO conducts its own criminal and administrative investigations into allegations of sexual abuse and sexual harassment. It does so promptly, thoroughly, and objectively.</p> <p data-bbox="240 674 1453 801">Utilizing a checklist, the auditor reviewed the investigative files looking for inmate rights, safety and security of the inmate, provable objectiveness, direct or circumstantial evidence, witness statement, effective communications, as well as other established guidelines. Through the review of the files, investigative staff have shown that each case followed objective protocols, and that investigators treat each allegation on a case-by-case basis.</p> <p data-bbox="240 831 1481 1025">The facility's investigators receive specialized training in sexual abuse investigations. They receive training specific to the allegations of sexual abuse. Such investigations shall only be conducted by investigators who have received special training in sexual abuse investigations pursuant to this plan. Investigators receive additional training related to their roles, which includes interviewing sexual abuse victims, conducting sexual abuse investigations in a confined setting, investigation and evidence collection for inmate sexual offenses, sexual harassment, and custodial sexual misconduct. The required training has been documented and verified through the employee signature on various sign-in sheets.</p> <p data-bbox="240 1055 1490 1153">During the interview with Investigator, he confirmed attending these training sessions, as well as numerous other inter-agency trainings. The auditor also reviewed the Investigators training records, verifying his attendance and participation at all required trainings.</p> <p data-bbox="240 1182 1449 1243">The Investigator gathers and preserves direct and circumstantial evidence. Staff document in a written report a thorough description of physical and documentary evidence. Substantiated allegations are referred for prosecution.</p> <p data-bbox="240 1272 1481 1467">During the on-site portion, the WBCF investigator was interviewed, and advised that he has attended the departments required investigation training, and will seek input from the District Attorney's Office when determining whether an investigation should be pursued as an administrative or criminal matter. During the interviews, the investigators were able to give examples of the burden of proof and preponderance for administrative cases, as well as the standard that relates to no higher than preponderance of evidence which is used when determining that allegations of sexual abuse or sexual harassment are substantiated.</p> <p data-bbox="240 1496 1497 1624">When the quality of evidence supports criminal prosecution, Investigators will conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution. This was confirmed during interviews with the investigative staff, who advised that they would consult with prosecutors before conducting compelled interviews.</p> <p data-bbox="240 1653 1485 1751">NCSO policy indicates that the credibility to the alleged victim, suspect, or witness is assessed on an individual basis, and is not determined by the person's status as inmate or staff. The facility does not require an inmate who alleges sexual abuse to submit to a polygraph examination as a condition for proceeding with the investigation of such an allegation.</p> <p data-bbox="240 1780 1485 2011">During interviews with investigative staff, it was evident that only the facts of that case are taken into consideration when referencing the credibility of an alleged victim, assailant, or witness and that they shall be assessed on an individual basis and not on the status as an inmate or staff member. They also indicated that he does not follow any different protocols when he receives third-party or anonymous reports of sexual abuse or sexual harassment, he will conduct all of the investigations very similarly in that he just follows the facts of the case, following all leads to conclusion. Also, investigative staff confirmed that when an inmate who alleges sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of the allegation.</p> <p data-bbox="240 2040 1469 2139">NCSO administrative investigations include the effort to determine whether staff actions or failures to act contributed to the abuse. It is required to be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind the credibility assessments, and investigative facts and findings.</p>

Through interviews with staff, the Jail Commander and the PCM, it was confirmed that investigative staff will evaluate if policy was followed; did they provide a safe and secure environment; and are any changes needing to be made.

According to NCSO policy, criminal investigations are documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attached copies of all documentary evidence where feasible. The investigative staff reported that he follows the procedures in the Investigations Protocols for documenting the report. All supporting documentation becomes part of the full investigation, which is utilized for any further review or referral.

Investigative staff reported that once the investigation is completed, the cases are presented for prosecution.

NCSO policy addresses retention requirements as they relate to crimes records management system. The policy further identifies that the Records Department maintains all written reports pertaining to criminal and administrative investigations of alleged sexual assault, sexual harassment, or sexual misconduct must be retained as long as the alleged abuse is incarcerated or employed by the agency, plus five (5) years.

The investigators were able to reflect that they are thorough in their research, and diligent in their efforts to gather facts and come to a logical and unbiased conclusion. Pertinent information was listed in all reports and evidence/exhibits were appropriately listed and easily obtainable. They are familiar with Miranda and Garrity Warnings and explained the difference in both when questioned.

According to NCSO policy, the departure of the alleged abuser or victim from the employment or control of the facility shall not provide a basis for terminating an investigation. The investigative staff reported they continue with the case and make arrangements with local authorities if a staff member departs.

The auditor was advised that the facility had no allegations the had been received within the past 12 months.

115.71 (k & l) are not applicable.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding criminal and administrative agency investigations. No recommendations or corrective action is required.

115.72	Evidentiary standard for administrative investigations
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1401 398">According to NCSO policy, based on the preponderance of evidence contained in the investigative report, the Jail Commander or Sheriff shall review the investigation including facts, evidence, and any other pertinent information to determine whether the allegations (incident being investigated) have been substantiated by a preponderance of the evidence.</p> <p data-bbox="240 434 1417 492">According to NCSO policy, no standard higher than the preponderance of evidence shall be imposed in determining if allegations of sexual abuse or sexual harassment are substantiated.</p> <p data-bbox="240 528 1469 654">The investigators were able to articulate that they were thorough in their research and diligent in their efforts to gather facts and come to a logical and unbiased conclusion. Pertinent information will be listed in all reports and evidence/exhibits were appropriately listed and easily obtainable, and that a preponderance of evidence will be used in determining whether the allegation was substantiated.</p> <p data-bbox="240 689 1406 748">During the interview with the Investigator, he indicated that during an investigation, all available evidence is collected (physical, interviews, etc.), and submitted for review and consideration.</p> <p data-bbox="240 784 363 801">Conclusion:</p> <p data-bbox="240 837 1453 891">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding the evidentiary standard for administrative investigations. No recommendations or corrective action is required.</p>

115.73	Reporting to inmates
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>NCSO policy advises that following an investigation into the Inmate's allegation that they suffered sexual abuse in the facility, the Jail Commander or the authorized designee shall inform a victim inmate in writing as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of criminal and/or administrative investigations of alleged Inmate sexual abuse that were completed by the agency/facility is: 3 • The alleged sexual abuse investigations that were completed, the number of Inmates who were notified verbally or in writing, of the results of the investigation is: 3 <p>If investigation was not conducted by WBCF, the PCM will request the relevant information from the investigative agency in order to inform the Inmate of the determination.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of investigations of alleged Inmate sexual abuse in the facility that were completed by an outside agency is: 0 • The number of Inmates alleging sexual abuse in the facility who were notified verbally or in writing of the results of the investigation is: 0 <p>According to WBCF policy, following an inmate's allegation that a staff member has committed sexual abuse against an Inmate, the Inmate will subsequently be informed in writing, unless the facility has determined that the allegation is unfounded, whenever:</p> <ul style="list-style-type: none"> • The staff member is no longer posted within the inmates unit or no longer employed at the facility; • The staff member has been indicted or convicted on a charge related to sexual abuse within the facility. <p>In addition, following an Inmate's allegation that they have been sexually abused by another Inmate, the alleged victim will be notified in writing whenever the alleged abuser has been charged, or convicted on a charge related to sexual abuse within the facility.</p> <p>NCSO policy indicates that all notifications or attempted notifications will be documented on the Notification of Investigation Status Form.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of notifications to Inmates that were provided pursuant to this standard is: 3 • The number of notifications that were documented is: 3 <p>If an outside entity conducts such investigations, the facility requests the relevant information from the investigative entity in order to inform the Inmate of the outcome of the investigation.</p> <p>A copy of each investigation was reviewed by the auditor and all notifications were made following the completion of the reports, and all required investigative steps were followed for each investigation.</p> <p>During the interview with the Jail Commander, the auditor confirmed that notifications that are provided by the Investigator, is documented in the Inmate's file by the Classification Staff.</p> <p>During the interview with the inmate who reported Sexual Abuse/Assault, they advised that the investigation was handled appropriately, and that they were kept informed throughout the whole process. At no time did they feel retaliated against or given consequences for their report.</p> <p>Conclusion</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding reporting to inmates. No recommendations or corrective action is required.</p>

115.76	<p>Disciplinary sanctions for staff</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>According to NCSO policy, all incidents of inmate sexual abuse or sexual harassment shall be investigated, disciplined, and referred for prosecution when warranted. In keeping with the NCSO's zero tolerance policy, perpetrators of sexual abuse shall be disciplined and/or referred for prosecution.</p> <p>The presumptive disciplinary sanction for staff who have engaged in sexual abuse of an inmate is termination.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of staff from the facility who have violated agency sexual abuse or sexual harassment policies is: 1 • The number of those staff from the facility who have been terminated (or resigned prior to termination) for violating agency sexual abuse or sexual harassment policies is: 1 <p>The NCSO has a zero tolerance for sexual misconduct, sexual abuse, and sexual harassment of inmates. An employee is prohibited from subjecting another employee, inmate, or other individual to harassment or retaliation for reporting or cooperative with an investigation of alleged sexual misconduct with inmates.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of staff from the facility who have been disciplined, short of termination, for violation of the agencies sexual abuse or sexual harassment policies is: 0 • The number of staff from the facility have been reported to law enforcement or licensing boards following their termination for violating agency sexual abuse or sexual harassment policies is: 0 <p>According to the NCSO, disciplinary sanctions for violations of NCSO policies relating to sexual abuse or sexual harassment, that do not involve actual sexual abuse, shall be 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>Conclusion:</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard regarding disciplinary sanctions for staff. No recommendations or corrective action is required.</p>
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115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 453 237">Auditor Discussion</p> <p data-bbox="240 271 1437 365">The NCSO has zero tolerance for sexual misconduct, sexual abuse, and sexual harassment of inmates. An employee is prohibited from subjecting another employee, inmate, or other individual to harassment or retaliation for reporting or cooperating with an investigation of alleged sexual misconduct with inmates.</p> <p data-bbox="240 398 1490 456">According to the policy, an individual who commits an act of sexual misconduct with an inmate will not be allowed to continue to perform services for the NCSO, and will be denied access to the NCSO premises.</p> <p data-bbox="240 490 1453 580">NCSO policy further states any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates, and shall be reported to applicable law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies.</p> <p data-bbox="240 613 1490 703">At the initiation of the allegation the contractor/volunteer is denied entry into the facility. WBCF then takes appropriate remedial measures and considers whether to prohibit further contact with inmates in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.</p> <p data-bbox="240 736 1477 795">Interviews conducted with the Jail Commander and HR Staff, it was indicated that in the past 12 months there have been no contractors or volunteers reported to law enforcement for engaging in sexual abuse of inmates at WBCF.</p> <p data-bbox="240 828 1490 918">During the interview with the Jail Commander regarding any misconduct relating to contractors or volunteers. He advised that when an issue is brought to his attention, he will immediately refer the matter for follow-up. During this time, the contractor or volunteer is not allowed access into the facility pending investigation and review of this matter.</p> <p data-bbox="240 952 363 978">Conclusion:</p> <p data-bbox="240 1012 1410 1070">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding Corrective Action for Contractors and Volunteers. No recommendations or corrective action is required.</p>

115.78	Disciplinary sanctions for inmates
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>According to NCSO policy, all incidents of inmate sexual abuse or sexual harassment shall be investigated, disciplined, and referred for prosecution when warranted. In keeping with the Department's zero tolerance policy, perpetrators of sexual abuse shall be disciplined and/or referred for prosecution.</p> <p>NCSO policy indicates that Inmates are subject to disciplinary actions according to the formal disciplinary process, following an administrative finding that the Inmate engaged in Inmate-on Inmate sexual abuse, or following a criminal finding of guilt for Inmate-on-Inmate sexual abuse.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number of administrative findings of Inmate-on-Inmate sexual abuse that have occurred at the facility is: 3 • The number of criminal findings of guilt for Inmate-on-Inmate sexual abuse that have occurred at the facility is: 0 <p>WBCF policy indicates that actions will be commensurate with the nature and circumstances of the abuse committed, the Inmate's disciplinary history, and the actions imposed for comparable offenses by other Inmates with similar histories.</p> <p>According to NCSO policy, an inmate may be disciplined for sexual contact with staff only if it is determined the staff member did not consent to the contact.</p> <p>According to policy, the facility may discipline an inmate for sexual conduct with staff only upon a finding that the staff member did not consent to such contact. Also, a report made in good faith based upon a reasonable belief that the alleged abuse occurred, does not constitute falsely reporting an incident, even if an investigation does not establish evidence sufficient to substantiate the allegation. This was confirmed through interviews with investigative staff.</p> <p>NCSO policy indicates that the facility shall consider whether to require the offending inmate to participate in therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for abuse as a condition of access to programming and other benefits.</p> <p>According to NCSO policy, sexual misconduct between inmates is prohibited, and shall result in disciplinary sanctions in accordance with the NCSO Disciplinary Rules and Procedures for Inmates. However, sexual misconduct between inmates shall not constitute sexual abuse if it is determined the activity is consensual.</p> <p>The auditor interviewed the Jail Commander regarding disciplinary sanctions for inmates. He advised that inmate discipline is based on the level of the violation, and penalties are imposed comparable to other inmates' penalties. He further indicated that the penalties might include placement in restricted housing, and possible prosecution. If the inmate has a mental health history, mental health staff will be involved to assist in determining appropriate sanctions.</p> <p>During the interview with the Jail Commander, the auditor was advised that if the sexual act were consensual, the Inmates would face the following disciplinary sanctions: disciplinary segregation, loss of privileges, extra duty, and loss of good time. If the sexual act were non-consensual, the Inmate would face criminal charges.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standards regarding disciplinary sanctions for Inmates. No recommendations or corrective action is required.</p>

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>As indicated in NCSO policy, all inmates who present complaints of sexual assault/abuse will be immediately evaluated, examined, and appropriately referred for required services.</p> <p>According to NCSO policy, WBCF mandates that if that an inmate has experienced prior sexual victimization or previously perpetrated sexual abuse, whether in an institution or in the community, the facility offers the inmate follow-up with a medical or mental health practitioner immediately.</p> <p>Medical and Mental Health staff are required to maintain secondary documentation (e.g., clinical/medical notes, log, etc.) documenting compliance with the aforementioned policy.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The percent of Inmates who disclosed prior victimization during screening who were offered a follow-up meeting with a medical or mental health practitioner is: 0 / 100% <p>All notifications to facility staff shall be made by the staff member completing the screening as necessary to ensure that the information is to be used to make determinations regarding housing, bed, work, education, and program assignments and to ensure appropriate follow-ups can be provided.</p> <p>WBCF mandates that if an inmate has experienced prior sexual victimization, whether in an institution or in the community, the facility offers the inmate follow-up with a medical or mental health practitioner immediately following the screening. The date of the referral is documented inmates classification file. If it is discovered that an inmate has previously perpetrated sexual abuse, whether in an institution or in the community, the facility offers the inmate follow-up with a medical or mental health practitioner immediately following the screening.</p> <p>In the past 12 months:</p> <ul style="list-style-type: none"> • The number / percent of Inmates who previously perpetrated sexual abuse, as indicated during the screening who were offered a follow-up meeting with a medical or mental health practitioner is: 0 / 100% <p>WBCF policy describes that any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be limited to medical and mental health practitioners and other staff, as necessary, assisting with making treatment plans and informed management decisions, including those related to housing, bed, work, education, and program assignments, or as otherwise required by federal, state, or local law.</p> <p>According to NCSO policy, informed consent shall be obtained from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting. This was confirmed through interviews with mental health staff.</p> <p>WBCF policy further states is that medical and mental health practitioners shall 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.</p> <p>During the on-site, the Auditor met with staff who conducted risk screenings, and was advised that all medical and mental health records are contained in a separate and secure database, and are accessed only by medical and mental health staff, and that information is only provided to a classification on a need to know basis.</p> <p>The Auditor also interviewed staff who perform risk screening relative to inmates who disclosed sexual victimization at screening. These staff confirmed that the inmates who identify are offered a follow-up meeting with a medical and/or mental health practitioner. Documentation is maintained in the automated system, and access is limited only to staff in certain classifications.</p> <p>During interviews with staff who conduct the risk screening, in those instances when an inmate discloses prior victimization during the intake screening, the inmate is immediately referred to Mental Health for assessment and additional follow-up services, as necessary.</p> <p>During interviews with the staff responsible for risk screening, the auditor confirmed risk screening staff offers Inmates who disclose victimization, and those who perpetrate sexual abuse, a follow-up evaluation with mental health staff immediately upon discovery.</p> <p>During interviews with the medical and mental health staff, the auditor confirmed that the medical and mental health staff</p>

obtain informed consent before reporting about prior sexual victimization that did not occur in an institutional setting. The auditor also confirmed the facility does not house Inmates under the age of 18.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard regarding medical and mental health screenings; history of sexual abuse. No recommendations or corrective action is required.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>NCSO policy requires that all inmates who present complaints of sexual assault/ abuse will be immediately evaluated, examined, and appropriately referred for required services. A brief history may be obtained by nursing staff. A physical examination should be performed in all cases of sexual assault, regardless of the length of time which may have elapsed between the time of the assault and the examination.</p> <p>According NCSO policy, if a report of abuse is made, correctional staff first responders shall take preliminary steps to protect the victim, and immediately notify the appropriate on-duty medical and mental health practitioners</p> <p>WBCF ensures that medical and mental health staff maintain secondary materials (e.g., form, log) documenting the timeliness of any emergency medical treatment and crisis intervention services that are provided; the appropriate response by non-health staff in the event health staff are not present at the time the incident is reported; and the provision of appropriate and timely information and services concerning contraception and sexually transmitted infection prophylaxis.</p> <p>NCSO policy includes the timeliness of emergency medical treatment and crisis intervention services, the steps taken by first responders to protect the victim, the timely access to emergency contraception and sexually transmitted infection prophylaxis, and that the victim bears no financial cost for treatment of services, regardless of whether the victim discloses the name of the abuser or fails to cooperate with any investigation arising out of the incident.</p> <p>According to the NCSO policy, treatment services shall be provided to the inmate victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising from the incident.</p> <p>Medical and mental health staff interviewed by this auditor indicate that the treatment they provide is immediate and based on their professional judgement. Medical and mental health work together to ensure the inmate receives the appropriate treatment. Information about and access to sexually transmitted infection prophylaxis is offered in accordance with professionally accepted standards of care and where medically appropriate.</p> <p>Interviews with medical and mental health staff, as well as random staff indicate that staff are aware of the components of this standard, and that the facility follows the requirements, as identified in this standard.</p> <p>Interviews conducted by the auditor with custody staff, non-custody staff, and First Responders stated that notifications are made via the telephone or institutional radio to the medical staff who are on duty when they are informed of an incident of sexual abuse.</p> <p>When interviews were conducted by the auditor with inmates who reported sexual abuse, all inmates stated that they were escorted to and seen by medical staff right after they made their allegation, even though the timeframes had been exceeded.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard regarding access to emergency medical and mental health services. No recommendations or corrective action is required.</p>

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

NCSO policy indicates that all inmates who present complaints of sexual assault/abuse will be immediately evaluated, examined, and appropriately referred for required services. A brief history may be obtained by medical staff. A physical examination should be performed in all cases of sexual assault, regardless of the length of time which may have elapsed between the time of the assault and the examination. In addition, inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile unit shall be offered medical and mental health evaluation and treatment, as appropriate.

The Auditor's review of records produced by the facility reflect an established community standard of care, evidence of Sexually Transmitted Infection (STI) testing, prophylaxis treatment, psychiatry and psychology services, crisis intervention and coping skills interventions. These services are free of charge to inmates, regardless of whether the abuser is named or whether the inmate cooperates with an investigation

Access to medical and behavioral health care is provided immediately. Upon report or discovery of inmate victims of sexual abuse. evaluation and treatment of such inmate victims shall include, as appropriate, follow-up services, treatment plans, and when necessary, referrals for continued care following their transfer to, or placement in other units or their release from custody.

The facility provided documentation reflected inmates who either are victims and/or perpetrators are offered follow-up treatment by mental health staff. The staff of the mental health department are employed by WellPath. Mental health staff complete specialized training through WellPath in addition to any facility training that is offered.

The staff were extremely knowledgeable regarding the needs of abusers and victims and provides numerous treatment services for this specific population, reflected in their documentation practices, the reviewed records demonstrate attentiveness to follow-up services and treatment plans. The files detailed professional notes on the evaluations conducted by medical and mental health staff, as well as their follow-up appointments with the inmates. Follow-up appointments consisted of routine visits with inmates during staff rounds as well as office visits with medical and mental health practitioners, including psychologists and psychiatrists.

When medically and procedurally appropriate, victims and perpetrators of sexual abuse will be offered an off-site forensic medical exam performed by a certified SANE at no cost to the inmate.

As noted in the WellPath policy regarding ongoing medical and mental health care for sexual abuse victims and abusers advises that female victims of sexual abuse vaginal penetration while incarcerated are offered pregnancy testing. If pregnancy results from the sexual abuse while incarcerated, victims receive timely and comprehensive information about, and timely access to, all lawful pregnancy-related medical services.

According to the NCSO policy, treatment services shall be provided to the inmate victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising from the incident.

Victims of sexual abuse while incarcerated shall be offered prophylaxis for sexually transmitted infections. Victims of sexual abuse shall be provided the brochure on community sexual assault programs, which shall be available through health services staff, unit counselors, and the PCM.

Medical and behavioral health care staff shall contribute to a coordinated response to all allegations of sexual abuse by relaying to the PCM and/or security/administrative staff, information pertinent to the well-being of the inmate(s) or for investigative purposes.

Medical and behavioral health practitioners are required to report sexual abuse and must inform inmates of their duty to report at the instigation of services.

115.83 (h) & 115.83 (i) are exempt as WBCF is not a prison.

Interviews with medical and mental health staff further reflected their compliance in the area of evaluation, follow-up care, treatment plans, and referral for services. The statements from medical and mental health staff reflect an operational understanding of the importance of appropriate evaluation, follow-up care, treatment planning, and service referral.

All inmates interviewed expressed consistently that the medical and mental health department was readily available for all needs and would provide ongoing individual counseling upon referral and/or request.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard regarding ongoing medical and mental health care for sexual abuse victims and abusers. No recommendations or corrective action is required.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 271 1477 365">NCSO completes a sexual abuse incident review form upon the conclusion of any investigation that has been determined to be substantiated or unsubstantiated, within 30 days of the conclusion of the investigation. The agency has developed a sexual abuse incident review form which ensures all components required by the standard are reviewed.</p> <p data-bbox="240 398 1458 490">A review of randomly selected investigation files indicated the incident reviews are being conducted at the conclusion of substantiated or unsubstantiated sexual abuse investigations as required by the standard. The forms are completed on an electronic database and easy to reference.</p> <p data-bbox="240 524 1458 616">In the past twelve (12) months, three (3) cases were scheduled for the review committee. The Auditor reviewed each case and determined that in every instance, the committee met within the required 30-day review period. Each of the three (3) cases submitted for review were in compliance with NCSO policy and PREA requirements.</p> <p data-bbox="240 649 1485 775">The review team consists of upper-level management, the PREA Compliance Coordinator, the compliance officer, as well as medical and mental health staff. During interviews with the PREA Compliance Coordinator and mental health staff, it was understood that both disciplines participate in the Sexual Abuse Incident Review Team meetings. They understood the reasoning behind the team meeting.</p> <p data-bbox="240 808 1465 866">The Auditor's interview with the Jail Commander confirmed his understanding relating to the composition of the committee, and his willingness to consider and incorporate any recommendations of the committee into WBCF operations.</p> <p data-bbox="240 900 1445 958">At the WBCF, a PREA Incident Review Board is convened within thirty (30) days of the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded.</p> <p data-bbox="240 992 467 1019">In the past 12 months:</p> <ul data-bbox="280 1066 1490 1191" style="list-style-type: none"> • The number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding any "unfounded" incidents is: 3 • The number of criminal and/or administrative investigations of alleged sexual abuse completed at the facility, that were followed by a sexual abuse incident review within 30 days, excluding any "unfounded" incidents is: 3 <p data-bbox="240 1225 1474 1317">Following a review of each of the three (3) submitted cases, numerous factors were included in the summary of findings. All of the cases reviewed were in compliance with NCSO policy and PREA requirements. The cases were thorough and answered all relevant questions.</p> <p data-bbox="240 1350 1171 1377">Items that are required to be considered according to NCSO policy and PREA guidelines are:</p> <ol data-bbox="280 1424 1477 1821" style="list-style-type: none"> 1. Consider whether the allegation or investigation indicates a need to change policy or practice to prevent, detect; or respond to sexual abuse or sexual misconduct.; 2. Consider whether the allegation was motivated by race; ethnicity; gender identity; lesbian; gay; bisexual; transgender, or intersex identification, status, or perceived status; gang affiliation; or was motivated or other group dynamics at the facility; 3. Examine the area of the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; 4. Assess the adequacy of staffing levels in that area during different shifts; 5. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and 6. The WBCF PREA Incident Review Board shall prepare a report of its findings, including but not limited to determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. This report shall be submitted to the Sheriff, and WBCF, and the NCSO PREA Coordinator. <p data-bbox="240 1854 1485 1980">The auditor interviewed the Jail Commander, the PCC, and other members of the Sexual Abuse Incident Review Team. Each of the members interviewed indicated that the team considers all of the criteria identified in PREA Policy (noted above). All documentation was reviewed by the Auditor for each of the three (3) cases, it was noted that all contained a section that would address any needed recommendations or improvements, if required.</p> <p data-bbox="240 2013 1453 2072">The facility implements the recommendations for improvement, or its reason for not doing so. On the standardized sexual Abuse incident review form there is a section at the bottom of the form for recommendations for improvement.</p> <p data-bbox="240 2105 1398 2163">During interviews with the Jail Commander, as well as an additional member of the incident review team, the auditor confirmed the incident review team:</p>

1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent;
2. Considers 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; and/or other group dynamics at the facility;
3. Examines the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse;
4. Assesses the adequacy of staffing levels in that area during different shifts, and;
5. Assesses whether monitoring technology should be deployed or augmented to supplement supervision by staff.

During the interview with the Jail Commander, the auditor confirmed that the facility has a Sexual Abuse Incident Review Team which includes upper-level management officials, and allows for the input from first line supervisors, investigators, and medical and mental health practitioners. The facility uses the information from the incident review to determine whether or not policies or procedures need to be revised.

During the interview with the PREA Compliance Coordinator, the auditor confirmed the facility would conduct a sexual abuse incident review and prepare a report of its findings from reviews, including any determinations per Standard 115.86 (d)-1 through (d)-5, and any recommendations for improvement. The auditor also confirmed the reports are forwarded to the PCM for review. The auditor was advised the facility has only had three (3) allegations within the past 12 months. The PCM advised that the information from the reports are used to determine whether policies or procedures need to be revised.

Conclusion:

Based upon the review and analysis of all available evidence, the auditor has determined that WBCF meets standard regarding sexual abuse incident reviews. No recommendations or corrective action is required.

115.87	Data collection
	<p data-bbox="240 147 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="240 210 451 237">Auditor Discussion</p> <p data-bbox="240 273 1493 365">According to NCSO policy, PREA Compliance Manager is responsible for entering every PREA-related investigation information into the centralized database. The NCSO is required to collect accurate, uniform data for every incident of sexual abuse alleged to have occurred at a NCSO operated facility using a standardized instrument and set of definitions.</p> <p data-bbox="240 398 1474 456">The incident-based data collected shall include, at a minimum, information necessary to answer all questions from the most recent version of the Survey of Sexual Victimization (SSV) conducted by the Department of Justice.</p> <p data-bbox="240 490 1489 580">The NCSO policy indicates that it will conduct an annual review of the collected and aggregated incident-based sexual abuse data. The NCSO aggregates its data, submitting all required items according to the U.S. Department of Justice SSV- 2, and submits all information annually as requested to the U.S Department of Justice.</p> <p data-bbox="240 613 1469 703">The facility also provided documentation of aggregated data, indicating that the data is maintained, reviewed, and collected from all incident-based documents. The Auditor reviewed the submitted SSV-2 for 2021, which reflected completion of all data fields within the required timelines.</p> <p data-bbox="240 736 1485 795">The NCSO PREA Coordinator shall, on an annual basis, review and analyze the aggregated data to assess for compliance with the national PREA standards and to improve the effectiveness of the sexual abuse prevention and intervention program.</p> <p data-bbox="240 828 1430 887">The NCSO policy requires that all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews are collected, reviewed, and maintained, as needed to complete the SSV.</p> <p data-bbox="240 920 1362 947">The NCSO does not contact for the confinement of its inmate population, as a result 115.87 (e) is not applicable.</p> <p data-bbox="240 981 1474 1039">The NCSO policy requires that once requested, the NCSO shall provide all relevant data from the previous calendar year to the Department of Justice.</p> <p data-bbox="240 1072 1453 1131">The NCSO aggregates all of its data, submitting all required items according to the U.S. Department of Justice SSV- 2 on June 30 from the previous calendar year to the U.S Department of Justice.</p> <p data-bbox="240 1164 363 1191">Conclusion:</p> <p data-bbox="240 1225 1414 1283">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard regarding data collection. No recommendations or corrective action is required.</p>

115.88	Data review for corrective action
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The WBCF PREA Compliance Manager is required to review data collected and aggregated pursuant to standard (§115.87), in order to assess and improve the effectiveness of the facility's sexual abuse prevention, detection, and response policies, practices, training, as well as:</p> <ol style="list-style-type: none"> 1. Identifying problem areas; 2. Identifying corrective actions taken; 3. Recommending corrective actions; 4. Comparing current annual data and corrective actions with those from prior years; 5. Assessing the office's progress in addressing sexual abuse. <p>The annual report shall include a comparison of the data and corrective actions from the current year with those from prior years and shall provide an assessment of the progress made in addressing sexual abuse.</p> <p>Upon completion, the WKCF PREA annual report is forwarded to the NCSO PREA Coordinator for consolidation in order to make it readily available to the public through its website or through other means.</p> <p>According to NCSO policy, the annual reports shall be approved by the NCSO Sheriff, and made readily available to the public through the NCSO website.</p> <p>As required by the PREA standard, the NCSO places all annual reports onto its website, accessible for public review as required. The attached weblink allows access to NCSO PREA webpage which contains each annual report since 2014. See attached link:</p> <p>https://www.mynevadacounty.com/DocumentCenter/View/39153/PREA-Report-2020-PDF</p> <p>During the interview with the Sheriff, she advised that she approves every annual report.</p> <p>The PREA Coordinator indicated during her interview that the agency reviews data collected pursuant to 115.87 and assesses the effectiveness of the Department's sexual abuse prevention, detection, and response policies, practices, and training. The Agency then prepares an annual report and posts the information on the website. She further stated that the only information redacted from the agency report is any personal identifying information. All other information is included in the annual report.</p> <p>During the interview with the Jail Commander, the auditor was informed that each allegation is reviewed by the Facility PREA/Incident Review Committee, and that the information is provided to the NCSO PREA Coordinator for the annual review. Any issues or concerns identified during the Facility PREA/Incident Committee are addressed at that time.</p> <p>Conclusion:</p> <p>Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard regarding data review for corrective action. No recommendations or corrective action is required.</p>

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	<p data-bbox="240 210 453 237">Auditor Discussion</p> <p data-bbox="240 271 1485 365">The WBCF PCM will ensure that data collected pursuant to (§115.87) is securely retained. All aggregated sexual abuse data from the Nevada County Sheriff's Office facilities and private facilities with which it contract shall be made available to the public at least annually through its office website.</p> <p data-bbox="240 398 1461 456">Before submitting aggregated sexual abuse data to NCSO PREA Coordinator, the WBCF PREA Compliance Manager will remove all personal identifiers.</p> <p data-bbox="240 490 1453 584">The NCSO is required to maintain sexual abuse data (including incident reports, investigative reports, inmate information, case disposition, and evaluation findings) collected pursuant to §115.87 for at least 10 years after the date of the initial collection, unless legally required otherwise.</p> <p data-bbox="240 618 1171 645">The auditor confirmed the PREA Annual Reports contains the sexual abuse statistics to date.</p> <p data-bbox="240 678 363 705">Conclusion:</p> <p data-bbox="240 736 1414 795">Based upon the review and analysis of all available evidence, the auditor has determined that WBCF Meets Standard regarding data storage, publication, and destruction. No recommendations or corrective action is required.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 389">During the pre-audit, the auditor was provided with a completed PAQ, and all relevant documentation related to the audit. During the site visit, the auditor requested additional documentation and was provided with this information promptly. The auditor was given access to, and observed, all areas of the Wayne Brown Correctional Facility.</p> <p data-bbox="229 389 1509 479">During the site visit, the auditor and assistant were provided access to a conference room. All staff and Inmate interviews were conducted one-on-one with the auditor/assistant, in a private and confidential manner.</p> <p data-bbox="229 479 1509 629">Approximately six weeks prior to the audit, the auditor provided the facility with a Notification of Audit that the auditor required the facility to post in all housing units and throughout the facility. The Notification of Audit contained the auditor's mailing address. During the site visit, the auditor observed the notification in some areas of the facility. During the Inmate interviews, many Inmates confirmed that they observed the audit notification posted throughout the facility.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The annual reports are accessible through the agency website. The link was provided to the auditor with pre-audit materials to check for easy accessibility. All personal information is redacted from the reports.

Appendix: Provision Findings		
115.11 (a)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Does the agency have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment?	yes
	Does the written policy outline the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment?	yes
115.11 (b)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	Has the agency employed or designated an agency-wide PREA Coordinator?	yes
	Is the PREA Coordinator position in the upper-level of the agency hierarchy?	yes
	Does the PREA Coordinator have sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities?	yes
115.11 (c)	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes
115.12 (a)	Contracting with other entities for the confinement of inmates	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes
115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes

115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need 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.)	yes
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes
115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	yes
115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes

115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	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.)	na
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	na
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received 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.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	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.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	yes
115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes
115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes
115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	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.)	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	na

115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	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
115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na
115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes

115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	yes
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
115.403 (f)	Audit contents and findings	
	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.)	yes