

# PREA Facility Audit Report: Final

**Name of Facility:** Wayne Brown Correctional Facility

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** 01/17/2025

**Date Final Report Submitted:** 04/23/2025

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
<b>Auditor Full Name as Signed:</b> Eric Woodford	<b>Date of Signature:</b> 04/23/2025

AUDITOR INFORMATION	
<b>Auditor name:</b>	Woodford, Eric
<b>Email:</b>	eiw@comcast.net
<b>Start Date of On-Site Audit:</b>	12/02/2024
<b>End Date of On-Site Audit:</b>	12/04/2024

FACILITY INFORMATION	
<b>Facility name:</b>	Wayne Brown Correctional Facility
<b>Facility physical address:</b>	925 Maidu Avenue, Nevada City, California - 95959
<b>Facility mailing address:</b>	950 Maidu Ave, Nevada City, California - 95959

Primary Contact
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<b>Name:</b>	Jon Nau
<b>Email Address:</b>	jon.nau@nevadacountyca.gov
<b>Telephone Number:</b>	530-470-2617

<b>Warden/Jail Administrator/Sheriff/Director</b>	
<b>Name:</b>	Mike Walsh
<b>Email Address:</b>	mike.walsh@nevadacountyca.gov
<b>Telephone Number:</b>	530-265-1601

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	Elizabeth Hare
<b>Email Address:</b>	elizabeth.hare@nevadacountyca.gov
<b>Telephone Number:</b>	530-265-1291
<b>Name:</b>	Molly Bacigalupo
<b>Email Address:</b>	molly.bacigalupo@nevadacountyca.gov
<b>Telephone Number:</b>	

<b>Facility Health Service Administrator On-site</b>	
<b>Name:</b>	George McKnight
<b>Email Address:</b>	george.mcknight@wellpath.us
<b>Telephone Number:</b>	530-265-1523

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	284
<b>Current population of facility:</b>	144
<b>Average daily population for the past 12 months:</b>	132

<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>What is the facility's population designation?</b>	Both womens/girls and mens/boys
<b>In the past 12 months, which population(s) has the facility held? Select all that apply (Nonbinary describes a person who does not identify exclusively as a boy/man or a girl/woman. Some people also use this term to describe their gender expression. For definitions of "intersex" and "transgender," please see <a href="https://www.prearesourcecenter.org/standard/115-5">https://www.prearesourcecenter.org/standard/115-5</a>)</b>	
<b>Age range of population:</b>	18-84
<b>Facility security levels/inmate custody levels:</b>	Minimum, Medium, Maximum
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	61
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	24
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	86

## AGENCY INFORMATION

<b>Name of agency:</b>	Nevada County Sheriff's Office
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	950 Maidu Ave, Nevada City, California - 95959
<b>Mailing Address:</b>	

<b>Telephone number:</b>	530-265-1291
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<b>Agency Chief Executive Officer Information:</b>	
<b>Name:</b>	Shannan Moon
<b>Email Address:</b>	shannan.moon@nevadacountyca.gov
<b>Telephone Number:</b>	530-265-1383

<b>Agency-Wide PREA Coordinator Information</b>			
<b>Name:</b>	Jon Nau	<b>Email Address:</b>	Jon.nau@nevadacountyca.gov

<b>Facility AUDIT FINDINGS</b>	
<b>Summary of Audit Findings</b>	
<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>	
<b>Number of standards exceeded:</b>	
0	
<b>Number of standards met:</b>	
45	
<b>Number of standards not met:</b>	
0	

## POST-AUDIT REPORTING INFORMATION

### GENERAL AUDIT INFORMATION

#### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2024-12-02
2. End date of the onsite portion of the audit:	2024-12-04

#### 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:	10/15/2024 - Senior Operations Officer at Just Detention International

### AUDITED FACILITY INFORMATION

14. Designated facility capacity:	284
15. Average daily population for the past 12 months:	132
16. Number of inmate/resident/detainee housing units:	16
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**

<b>18. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:</b>	147
<b>19. 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:</b>	3
<b>20. 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:</b>	0
<b>21. 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:</b>	2
<b>22. 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:</b>	1
<b>23. 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:</b>	3
<b>24. 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:</b>	3

<p><b>25. 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:</b></p>	<p>0</p>
<p><b>26. 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:</b></p>	<p>2</p>
<p><b>27. 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:</b></p>	<p>3</p>
<p><b>28. 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:</b></p>	<p>3</p>
<p><b>29. 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):</b></p>	<p>No additional information provided</p>
<p><b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b></p>	
<p><b>30. 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:</b></p>	<p>42</p>
<p><b>31. 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:</b></p>	<p>3</p>

<p><b>32. 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:</b></p>	<p>3</p>
<p><b>33. 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:</b></p>	<p>No additional information available</p>
<p><b>INTERVIEWS</b></p>	
<p><b>Inmate/Resident/Detainee Interviews</b></p>	
<p><b>Random Inmate/Resident/Detainee Interviews</b></p>	
<p><b>34. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</b></p>	<p>13</p>
<p><b>35. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</b></p>	<p> <input 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 </p>
<p><b>36. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</b></p>	<p>Random selection of inmates to include gender, length of time in facility and housing assignment</p>
<p><b>37. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</b></p>	<p> <input checked="" type="radio"/> Yes  <input type="radio"/> No </p>

<b>38. 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):</b>	No additional information provided
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
<b>39. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	12
<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>	
<b>40. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</b>	1
<b>41. 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:</b>	3
<b>42. 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:</b>	1

<p><b>43. 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:</b></p>	<p>1</p>
<p><b>44. 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:</b></p>	<p>1</p>
<p><b>45. 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:</b></p>	<p>0</p>
<p><b>45. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>45. 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).</b></p>	<p>Auditor requested documentation from classification and intake to include PREA Coordinator determination regarding the housing of any Transgender and Intersex inmates housed at the facility during the onsite audit.</p>
<p><b>46. 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:</b></p>	<p>2</p>

<p><b>47. 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:</b></p>	<p>1</p>
<p><b>48. 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:</b></p>	<p>3</p>
<p><b>49. 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:</b></p>	<p>2</p>
<p><b>50. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</b></p>	<p>PREA Coordinator advised that during the onsite audit, no Transgender or Intersex inmates were housed during the onsite audit.</p>
<p><b>Staff, Volunteer, and Contractor Interviews</b></p>	
<p><b>Random Staff Interviews</b></p>	
<p><b>51. Enter the total number of RANDOM STAFF who were interviewed:</b></p>	<p>12</p>

<p><b>52. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</b></p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input checked="" type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input checked="" type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p><b>If "Other," describe:</b></p>	<p>No additional information provided</p>
<p><b>53. Were you able to conduct the minimum number of RANDOM STAFF interviews?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>54. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</b></p>	<p>No additional comments to be provided</p>
<p><b>Specialized Staff, Volunteers, and Contractor Interviews</b></p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p><b>55. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b></p>	<p>30</p>
<p><b>56. Were you able to interview the Agency Head?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

<b>57. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>58. Were you able to interview the PREA Coordinator?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>59. Were you able to interview the PREA Compliance Manager?</b>	<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)

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

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

	<input type="checkbox"/> Other
<b>If "Other," provide additional specialized staff roles interviewed:</b>	Training staff Grievance Response staff Kitchen staff Inmate Hearing/Disciplinary staff Volunteer/Contractor Coordinator Maintenance staff
<b>61. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>61. Enter the total number of VOLUNTEERS who were interviewed:</b>	2
<b>61. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input checked="" type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other
<b>62. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>62. Enter the total number of CONTRACTORS who were interviewed:</b>	2

<p><b>62. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b></p>	<p><input type="checkbox"/> Security/detention</p> <p><input checked="" type="checkbox"/> Education/programming</p> <p><input 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>
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<p><b>63. Provide any additional comments regarding selecting or interviewing specialized staff.</b></p>	<p>No additional information provided</p>
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**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><b>64. Did you have access to all areas of the facility?</b></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:**

<p><b>65. 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)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p><b>66. 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)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>67. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>68. Informal conversations with staff during the site review (encouraged, not required)?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>69. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</b></p>	<p>Critical observations and tests of critical functions</p>
<p><b>Documentation Sampling</b></p>	
<p>Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.</p>	
<p><b>70. 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?</b></p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p><b>71. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</b></p>	<p>Auditor attempted oversampling of female inmates during documentation sampling</p>

# SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

## Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

### 72. 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
<b>Inmate-on-inmate sexual abuse</b>	2	1	1	1
<b>Staff-on-inmate sexual abuse</b>	X	X	X	X
<b>Total</b>	2	1	1	1

72. Explain why this information could not be provided.

No staff on inmate sexual abuse occurring over the past 12 months

**73. 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
<b>Inmate-on-inmate sexual harassment</b>	6	X	6	X
<b>Staff-on-inmate sexual harassment</b>	3	X	3	X
<b>Total</b>	9	X	9	X

**73. Explain why this information could not be provided.**

Over the past 12 months, no criminal investigations were conducted  
 Over the past 12 months no allegations that had both criminal and administrative sexual harassment investigations conducted.

**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.

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

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

**74. Explain why this information could not be provided.**

No ongoing sexual abuse or sexual harassment investigations  
 No Ongoing staff-on-inmate sexual abuse investigations  
 No acquitted outcomes of inmate-on-inmate or staff on inmate sexual abuse investigations.

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	X	4	2	1
<b>Staff-on-inmate sexual abuse</b>	X	1	1	X
<b>Total</b>	X	5	1	1

**75. Explain why this information could not be provided.**

No ongoing inmate-on-inmate sexual abuse administrative investigation outcomes  
 No ongoing staff-on-inmate sexual abuse administrative investigation outcomes  
 No. substantiated staff-on-inmate sexual abuse administrative investigation outcomes

**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.

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

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

**76. Explain why this information could not be provided.**

No criminal Sexual Harassment Investigation outcomes or ongoing investigations during the 12 months preceding the audit.

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual harassment</b>	X	4	2	X
<b>Staff-on-inmate sexual harassment</b>	X	1	1	1
<b>Total</b>	X	5	3	1

<p><b>77. Explain why this information could not be provided.</b></p>	<p>No ongoing inmate-on-inmate sexual harassment during the 12 months preceding the audit  No substantiated inmate-on-inmate administrative sexual harassment investigation outcomes during the 12 months preceding the audit.</p>
<p><b>Sexual Abuse and Sexual Harassment Investigation Files Selected for Review</b></p>	
<p><b>Sexual Abuse Investigation Files Selected for Review</b></p>	
<p><b>78. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>2</p>
<p><b>79. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><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)</p>
<p><b>Inmate-on-inmate sexual abuse investigation files</b></p>	
<p><b>80. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>2</p>
<p><b>81. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></p>	<p><input checked="" type="radio"/> Yes  <input type="radio"/> No  <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>

<p><b>82. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></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><b>Staff-on-inmate sexual abuse investigation files</b></p>	
<p><b>83. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>0</p>
<p><b>84. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p><b>85. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p><b>Sexual Harassment Investigation Files Selected for Review</b></p>	
<p><b>86. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>9</p>
<p><b>87. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></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>

<b>Inmate-on-inmate sexual harassment investigation files</b>	
<b>88. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	9
<b>89. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
<b>90. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)
<b>Staff-on-inmate sexual harassment investigation files</b>	
<b>91. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	3
<b>92. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
<b>93. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)

<p><b>94. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</b></p>	<p>No additional information to be provided</p>
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**SUPPORT STAFF INFORMATION**

**DOJ-certified PREA Auditors Support Staff**

<p><b>95. 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.</b></p>	<p> <input type="radio"/> Yes  <input checked="" type="radio"/> No         </p>
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**Non-certified Support Staff**

<p><b>96. 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.</b></p>	<p> <input type="radio"/> Yes  <input checked="" type="radio"/> No         </p>
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**AUDITING ARRANGEMENTS AND COMPENSATION**

<p><b>97. Who paid you to conduct this audit?</b></p>	<p> <input checked="" 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 type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm)   <input type="radio"/> Other         </p>
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<b>Standards</b>	
<b>Auditor Overall Determination Definitions</b>	
<ul style="list-style-type: none"> <li>• Exceeds Standard (Substantially exceeds requirement of standard)</li> <li>• Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period)</li> <li>• Does Not Meet Standard (requires corrective actions)</li> </ul>	
<b>Auditor Discussion Instructions</b>	
<p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>	

<b>115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.11(a): Policy 606.2 PREA mandates that This office has zero-tolerance with regard to sexual abuse, sexual harassment, and sexual misconduct in this facility. This office will take appropriate affirmative measures to protect all incarcerated persons from sexual abuse, sexual harassment, and sexual misconduct, and promptly and thoroughly investigate all allegations of sexual abuse, sexual harassment, and sexual misconduct. Policy includes definitions of prohibited behaviors regarding sexual abuse and sexual harassment, prohibited behaviors regarding sexual abuse and sexual harassment, sanctions for those found to have participated in prohibited behaviors and description of strategies and responses to reduce and prevent sexual abuse and sexual harassment of inmates.</p> <p>115.11(b): Agency Organizational Chart identifies the Agency PREA Coordinator at the Lieutenant's position in the agency's organizational structure located at the 3rd upper-level position from the Sheriff. Interview with the PREA Coordinator indicates that he has enough time to manage the general PREA items that arises, reviewing PREA investigations to include incident</p>

	<p>reviews and monitoring training for custody staff, etc.</p> <p>115.11(c): Agency Organizational Chart identifies the Wayne Brown Correctional Facility PREA Compliance Manager at the Correctional Sergeant's level in the agency's organizational structure. The Agency Organizational Chart identifies the Truckee Substation PREA Compliance Manager position at the Correctional Officer II level. Both PREA Compliance Managers report to the PREA Coordinator. Interview with the PREA Compliance Manager indicates that she has enough time to manage all of her PREA related responsibilities.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.11.</p>
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<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p>115.12(a): N/A - The agency reports that it has not entered into or renewed a contract for the confinement of inmates on or after August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>115.12(b): N/A - The agency has not entered into or renewed a contract for the confinement of inmates on or after August 20, 2012, or since the last PREA audit, whichever is later.</p> <p>Interview with the Agency's Contract Administrator indicates that Nevada County Jail does not contract for the confinement of their inmates.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.12.</p>

<b>115.13</b>	<b>Supervision and monitoring</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p>115.13(a): Policy 224 Staffing Plan mandates that: <b>224.4 STAFFING ANALYSIS</b></p>

The Jail Commander, in conjunction with the PREA coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan (28 CFR 115.13). Relief factors for each classification and position should be calculated into the staffing plan to ensure staffing levels will consistently meet requirements. Staff should be deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, incarcerated persons, and the public.

If staffing deficiencies are noted, corrective measures may be needed, including the following:

- (a) Operational change
- (b) Equipment requirement
- (c) Additional training
- (d). Supervisory intervention
- (e). Additional personnel

Interview with Facility Commander or Designee indicates that Yes, the facility has a 2024 staffing Plan which identifies adequate staffing levels to protect inmates against sexual abuse, video monitoring is part of this plan and the Staffing Plan is documented in Policy. There are no findings of inadequacy or consent decree. All requested items within the Staffing Plan have been addressed. When checking for compliance with the Staffing Plan an After Action Report is created per incident.

Annual meetings are conducted and included in the annual year end report.

Interview with PREA Compliance Manager indicates that he only works on Staffing Levels on day to day to ensure adequate staff by gender on a daily basis. Scheduling Sergeant and PREA Coordinator deals with the remaining considerations in the Staffing Plan.

Agency has provided auditor with Staffing Plan dated 10/25/2024. Review of Staffing Plan 2024 item #6 Institution programs occurring on a particular shift fails to provide the particular shifts in which institutional programs are conducted.

1. Agency is required to identify and take into consideration the particular shifts in which institutional programs occur as mandated by Standard provision 115.13(a) item #8.

#### **SUPERVISION PRACTICES - OBSERVATION:**

During the Onsite Audit, auditor observed the number of staff, contractors, and volunteers present (including security and non-security staff) and staffing patterns during every shift, including:

- In the housing units
- In isolated areas like administrative/disciplinary segregation and protective custody
- In the programming, work, education, other areas
- In areas where sexual abuse is known to be more likely to occur according to the staffing plan.

Observed staff line of sight and assess whether there are blind spots.

Observe areas where persons confined in the facility are not allowed to determine whether movement in and out of that space is monitored (e.g., by cameras or other

forms of surveillance), to ensure that confined persons never enter those areas. Observe the level of supervision and frequency of cell checks in housing areas where confined persons are double-celled, in dormitories, or in holding pens with more than one person (if applicable).

Observe indirect supervision practices, including camera placement. In addition to observation of camera placement, inquire about and observe the monitoring room, including staffing rotation (i.e., how often is camera feed monitored and by whom). Note any staffing concerns, including understaffing, overcrowding, poor line of sight, etc.

115.13(b): Low staffing levels were reported as follows:

Agency provided 4 Low Staffing Incident Reports to the Supplemental File (2 instances occurred during 2023 where the facility was placed on lockdown due to low staffing levels).

Two instances occurred in 2024 when an Incarcerated Person (IP) was admitted to the hospital, requiring an officer to stand by and one officer failed to show up for their shift leaving only four officers on the floor for 3.5 hours. Mornings religious programs were cancelled due to lack of staffing. The second instance occurred when two IPs were rushed to the ER for treatment leaving 4 officers on the floor. Housing units cancelled all dayrooms except for the IPs who still required their one hour release. Visits and education were continued.

Interview with Facility Commander indicates that facility documents all instances of non-compliance with the staffing plan in Low Incident Staffing Reports. A number of Low Incident Staffing Reports have been provided in the Supplemental File.

115.13(c): Agency provided 2024 Staffing Plan and Wayne Brown Correctional Facility (WBCF) Supervision and monitoring document via the Supplemental File. The 2024 Staffing Plan was previously addressed in Standard provision 115.13(a). The WBCF Supervision and monitoring document, dated 8/22/2024 addresses how staffing issues are documented, addressed and justified in an incident report in the Jail Management System (JMS). Agency documented four instances of Staffing Plan deviation in years 2023 and 2024.

Interview with the PREA Coordinator indicates that is consulted regarding any assessments of, or adjustments to, the staffing plan for this facility. These assessments happen annually. Our staffing leadership goes before the Board and asks for more positions which positively affects the Staffing Plan review.

In accordance with Standard provision 115.13(c), the Facility is mandated to provide an annual Staffing Plan or annual Staffing Plan review which assess, determine, and document whether adjustments are needed to:

1. The Staffing Plan established pursuant to section 115.13(a)
2. Facility's deployment of video monitoring systems and other monitoring technologies, and
3. Identify resources the facility has available to commit to ensure adherence to the Staffing Plan.

Upon review of the WBCF Supervision and Monitoring docx, the document fails to

mention or identify if any adjustments required to the 2022 Staffing Plan.

1. Agency to provide auditor with copy of either a 2023 Staffing Plan or provide a written statement regarding any adjustments required to the 2022 Staffing Plan and provide to the Supplemental File for compliance review.

2. Auditor to provide a copy of the 2022 Staffing Plan to be uploaded to the Supplemental File.

115.13(d): Policy 606.5.1 PREA Unannounced Rounds mandates that Intermediate level or higher-level supervisors shall conduct unannounced rounds in each housing unit to identify and deter staff sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.13):

(a). Rounds shall be conducted daily on both the day and night shifts.

(b). All rounds shall be documented in the JMS system.

(c). Staff is prohibited from alerting other staff members that these rounds are occurring unless such announcement is related to legitimate operational functions of the facility.

Agency provided Unannounced Rounds Housing Activity Logs to the Supplemental File conducted and documented during the months of October 2023 thru September 2024. Review of the Logs indicates rounds conducted by both intermediate and Higher-Level staff. Unannounced Rounds were conducted on Day and Night Shifts. Locations included Housing Units, Medical, Holding.

Interview with Intermediate or Higher - Level Facility Staff indicates that he conducts Unannounced Rounds daily on every 12 hour shifts. He documents rounds in the Jail Management System. In order to prevent staff from alerting other staff that you are conducting unannounced rounds is to not tell anyone to start with change of rounds per shift, per unit.

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.13(a), 115.13(c) and corrective action is required.

**Corrective Action Recommended:**

115.13(a): Agency has provided auditor with Staffing Plan dated 10/25/2024. Review of Staffing Plan 2024 item #6 Institution programs occurring on a particular shift fails to provide the particular shifts in which institutional programs are conducted.

1. Agency is required to identify and take into consideration the particular shifts in which institutional programs occur as mandated by Standard provision 115.13(a) item #8.

115.13(c): In accordance with Standard provision 115.13(c), the Facility is mandated to provide an annual Staffing Plan or annual Staffing Plan review which assess, determine, and document whether adjustments are needed to:

1. The Staffing Plan established pursuant to section 115.13(a)
2. Facility's deployment of video monitoring systems and other monitoring technologies, and
3. Identify resources the facility has available to commit to ensure adherence to the Staffing Plan.

In review of the WBCF Supervision and Monitoring docx, the document fails to mention or identify if any adjustments required to the 2022 Staffing Plan.

1. Agency to provide auditor with copy of either a 2023 Staffing Plan or provide a written statement regarding any adjustments required to the 2022 Staffing Plan.
2. Agency to provide a copy of the 2022 Staffing Plan to be uploaded to the Supplemental File.

**Corrective Action Completion 12/3/24 :**

115.13(a): Review of Staffing Plan 2024 item #6 "Institution programs occurring on a particular shift" fails to indicate the particular shifts that institutional programs are conducted.

1. Agency is required to identify and take into consideration the particular shifts in which institutional programs occur as mandated by Standard provision 115.13(a) item #8.

RESPONSE: 12/3/24 - The facility uploaded an amended 2024 Staffing Plan to include an amendment to item #6 Institutional programs occurring on a particular shift. The amendment reads "Institutional programs include education, self-help, and religious. These programs are conducted in multi-purpose room in the housing units. The rooms are monitored by the officer assigned to the housing unit. Programs run from 0900 to 2130 hours, 7 days a week."

115.13(c): 8/22/24, agency uploaded the Wayne Brown PREA Supervision and Monitoring Staffing Plan review. The PREA Coordinator indicated there were no adjustments required to the the 2022 Staffing Plan.

The agency/facility has met the requirements of Standard provision(s) 115.13(a), 115.13(c) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.13.

	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p>115.14(a): NA - Facility prohibits housing of youthful inmates.</p> <p>115.14(b): NA - Facility prohibits housing of youthful inmates (inmates less than 18 years old)</p> <p>115.14(c): NA - Facility prohibits housing of youthful inmates (inmates less than 18 years old)</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.14.</p>

<p><b>115.15</b></p>	<p><b>Limits to cross-gender viewing and searches</b></p>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p>115.15(a): Pre-Audit Questionnaire indicates that Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by staff members of the same gender as the person being searched (Penal Code § 4030). Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15). "With the approval of a supervisor, a second staff member of the same gender may be present during the search for security purposes and to witness the discovery of evidence. The staff member conducting a strip search shall not touch the breasts, buttocks, or genitalia of the person being searched. These areas may be touched through the clothing during a modified strip search.</p> <p>(a) The searching staff member may instruct the incarcerated person to:</p> <ol style="list-style-type: none"> <li>1. Remove their clothing.</li> <li>2. Raise their arms above the head and turn 360 degrees.</li> <li>3. Bend forward and run their hands through their hair.</li> <li>4. Turn their head first to the left and then to the right so the searching correctional officer can inspect the persons's ear orifices.</li> <li>5. Open their mouth and run a finger over the upper and lower gum areas, then raise the tongue so the correctional officer can inspect the interior of the person's mouth. Remove dentures if applicable.</li> <li>6. Incarcerated persons may be instructed to lift, move, or adjust portions of their</li> </ol>

body to ensure a full visual search is conducted.

7. Turn around and raise one foot first, then the other so the correctional officer can check the bottom of each foot.

8. For a visual cavity search, turn around, bend forward, and spread the buttocks if necessary to view the anus.

(b) At the completion of the search, the incarcerated person should be instructed to dress in either their street clothes, or jail-supplied clothing, as appropriate.

Agency reports that In the past 12 months, no cross-gender strip or cross-gender visual body cavity searches of inmates have occurred.

Agency reports that no non-medical staff involved in cross-gender strip or visual searches over the past 12 months.

**OBSERVE AREAS USED TO CONDUCT CROSS-GENDER SEARCHES:** During the Onsite Review of the Nevada County Main Jail Wayne Brown Facility there are no cross-gender strip or visual searches being conducted. There are only two search rooms located in Intake where same gender custody staff and same gender strip searches are conducted. Both areas have privacy doors on rooms which dissuade cross-gender viewing during clothing exchange and intake searches. Cameras view the hallway access to the rooms and custody staff members who conduct clothing exchange and Intake searches.

115.15(b): Policy 514 Page 2 Section 514.3 Pat-Down Searches mandates that: Pat-down searches will be performed on all incarcerated persons/arrestees upon entering the secure booking area of the facility. Additionally, pat-down searches shall occur frequently within the facility. At a minimum, the staff shall conduct pat-down searches in circumstances that include:

(a). When incarcerated persons leave their housing units to participate in activities elsewhere in the facility (e.g., exercise yard, medical, program, visiting) and when they return.

(b). During physical plant searches of entire housing units.

(c). When incarcerated persons come into contact with other incarcerated persons housed outside of their housing units, such as work details.

(d). Any time the staff believes the incarcerated persons may have contraband on their persons.

Except in emergencies, staff members may not conduct a pat-down search on an incarcerated person of the opposite gender. Absent the availability of a same gender staff member, it is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite gender. All cross-gender pat-down searches shall be documented (28 CFR 115.15).

Agency reports that in the past 12 months pat-down searches of female inmates that were conducted by male staff.

Agency reports that in the past 12 months no pat-down searches of female inmates were conducted by male staff that did not involve exigent circumstance(s)

Interview with Random Sample of Staff indicates that female staff are not available to conduct patdown search is a female inmates. The jail does not restrict access to programs or out of cell opportunities.

Interview with Inmate Interview Questionnaire (Female inmates) indicates that female

staff are not available to conduct patdown search is a female inmates. The jail does not restrict access to programs or out of cell opportunities.

115.15(c): Policy 514.4.4 Modified Strip Search and Strip Search Procedures. Searches mandates that Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by staff members of the same gender as the person being searched (Penal Code § 4030). Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15).

Policy 5.4.3 Pat-Down Searches mandates that "Except in emergencies, staff members may not conduct a pat-down search on an incarcerated person of the opposite gender. Absent the availability of a same gender staff member, it is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite gender. All cross-gender pat-down searches shall be documented (28 CFR 115.15)."

115.15(d): Policy 514 Searches section 514.4.7 mandates that Except in exigent circumstances or when such viewing is incidental to routine cell/dorm checks, incarcerated persons shall be able to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia (28 CFR 115.15(d)).

Interview with 9 female IPs Interview Questionnaire indicates that staff announce their presence when entering their housing units. IPs also inform the auditor that IPs are never naked in full view of male or female staff

Interview with Random Sample of 12 Staff indicates that custody staff announces their presence when entering a housing unit that houses residents of the opposite gender. Announcement is made saying "Male Officer on the floor" or "Female Officer in the floor." IPs are able to dress, shower, and toilet without being viewed by staff of the opposite gender.

**CROSS-GENDER VIEWING:** During the onsite audit, auditor observed Intake, Booking and housing units (exercise yards, cells and showers. None of the areas allowed for cross-gender viewing during toileting. Auditor also observed camera views located in Central Control identifies safety cells, clothing change/same gender strip cells, housing unit cells and shower stalls in housing units and exercise yards have their camera views of toilet and shower areas etched to dissuade cross-gender viewing.

115.15(e): Policy 514 Searches section 514.5 Transgender Searches mandates that Staff shall not search or physically examine a transgender or intersex incarcerated person for the sole purpose of determining genital status (see the Prison Rape Elimination Act Policy for"

"transgender and intersex definitions). If genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.15).

All modified strip searches, strip searches and pat-down searches of transgender and intersex incarcerated persons will be conducted in a professional and respectful

	<p>manner, and in the least intrusive manner possible, consistent with security needs. If a transgender or intersex incarcerated person's genitalia status is female, the incarcerated person will be searched by a female correctional officer only. If a transgender or intersex incarcerated person's genitalia status is male, the incarcerated person will be searched by a male correctional officer only. The on-duty supervisor will be notified prior to a cross-gender search. All cross-gender searches will be documented in an incident report.</p> <p>Interview with 11 Random Sample of Staff indicates that custody are aware of the policy prohibiting staff from searching or physically examining a transgender or intersex inmate for the purpose of determining the inmate's genital status. Throughout the Onsite Audit, no Transgender/Intersex Inmates were housed in the Wayne Brown Main Jail.</p> <p>115.15(f): Agency reports that 100% of all security staff who received training on conducting cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, consistent with security needs. Agency provided 61 signed staff acknowledgements to verify staff understands the training.</p> <p>Agency also uploaded the Guidance on Cross-Gender and Transgender Pat Searches training video.</p> <p>Interview with Random Sample of Staff indicates that custody staff have received training on cross-gender pat searches and searches of transgender and interse inmates in a professional and respectful manner, consistent with security needs. The training was conducted via video during refresher training or academy training during 2023 or 2024.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.15.</p>
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<b>115.16</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>115.16(a): Policy 606.8 INCARCERATED PERSON EDUCATION: During the intake booking process all incarcerated persons will receive information about sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.33: (a). The information shall be communicated orally, visually, or in writing accessible to all incarcerated persons (IPs) including those who are limited English proficient, deaf,</p>

visually impaired, or otherwise disabled, as well as to incarcerated persons who have limited reading skills.

(b). The information shall include the Jail Facility's zero-tolerance stance, self-protection methods (situation avoidance), prevention and intervention, reporting sexual abuse, treatment and counseling, protection against retaliation, and consequences of false allegations.

Information provided to IPs include "Don;t Touch Me Comm with disability-LRS. pdf, which and I Reported Communicate with disability - LRS.pdf for reporting sexual abuse, sexual harassment and outside reporting mechanism.

Interview with Agency Head or designee indicates that the agency has establish procedures to provided meets with disabilities and makes for a limited English proficiency and equal opportunity to participate in or benefit from all aspects of the agencies efforts to prevent, detect, and respond to sexual abuse and sexual harassment.

Agency provides:

Education via PREA video,

OPTI Signs (televisions within each housing unit that provides continuous PREA information to IPs.

Agency provides Kiosks within each housing unit, confidential drop boxes for grievances and PREA related issues and electronic tablets provided throughout the facility which provides additional PREA related information and IP Handbook information.

Interview with Inmates (with disabilities or who are limited English proficient) indicates that the facility provides information about sexual abuse and sexual harassment that IP's are able to understand. Eyepiece was provided with an interpreter while in booking to understand their rights as mandated by PREA. Only 1 LEP IP was housed at the Main Jail during the onsite audit.

**INTERPRETATION SERVICES:**

Auditor tested the facility's process for securing interpretation services on-demand.

Only 1 IP was available who was Limited English proficient. Intake phone was provided to access Language Line. Intake staff used the Language Line access number and client ID to obtain the Language Line operator and Spanish Speaking interpreter. Ability to access Language Line was easy and the interpreter was very accommodating.

115.16(b): The agency has established procedures to provide inmates with limited English proficiency 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 as outlined in Policy 606.8 INCARCERATED PERSON EDUCATION via Language Line (Invoices of past use provided) and the Spanish Inmate Informational Handbook.

Interview with 2 Inmates (with disabilities or who are limited English proficient) indicates that Booking provided the IP with information about sexual abuse and sexual harassment that they were all able to understand. Can you say provided VIP with an interpreter while in booking to understand his rights as a relates to the Prison

	<p>Rape Elimination Act.</p> <p>115.16(c): Policy 606 PREA Pg 13 Section 606.12 mandates that should an investigation involve incarcerated persons who have disabilities or who have limited English proficiency, the first responder shall not rely on incarcerated person interpreters, incarcerated person readers, or other types of incarcerated person assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise incarcerated person safety, the performance of first responder duties or the investigation of sexual abuse, sexual harassment, or sexual misconduct allegations (28 CFR 115.16).</p> <p>Interview with Random Sample of Staff indicates that Agency does not allow the use of the main interpreters to assist inmates with disabilities or inmates, who are limited English proficient when making an allegation of sexual abuse or sexual harassment. The agency allows staff to utilize language line located in intake and booking or language line located in Medical. Bi-Lingual custody staff can also be utilized to assist with understanding sexual abuse and sexual harassment allegations.</p> <p>Interview with Inmates (with disabilities or who are limited English proficient) indicates that they are provided information about sexual abuse and sexual harassment that they are able to understand. The IP who was interviewed in Intake informed the auditor that hearing aids that belonged to the IP was not provided to IP by the facility. IP was provided a custody staff interpreter.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.16.</p>
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<b>115.17</b>	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>115.17(a): Policy 606.6 HIRING AND PROMOTION DECISIONS mandates that: The Nevada County Corrections Division shall not hire or promote anyone who may have contact with incarcerated persons, and shall not enlist the services of any contractor who may have contact with incarcerated persons, who (28 CFR 115.17)</p> <p>(a). 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);</p> <p>(b). 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; and</p> <p>(c). Has been civilly or administratively adjudicated to have engaged in the activity described in subsection (b) above.</p>

Any incidents of sexual harassment shall be considered in determining whether to hire or promote anyone or to enlist the services of any contractor, who may have contact with incarcerated persons.

Before hiring new employees, who may have contact with incarcerated persons, the Nevada County Sheriff's Office shall (28 CFR 115.17):

(a). Perform a criminal background check; and

(b). Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employees for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

Criminal Record Background checks for randomly selected custody staff and contractors have been uploaded to the Supplemental file.

The Nevada County Sheriff's Office shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with incarcerated persons.

Every five (5) years a criminal background check shall be conducted on current employees and contractors who may have contact with incarcerated persons or have in place a system for otherwise capturing such information for current employees (28 CFR 115.17).

All applicants and employees who may have contact with incarcerated persons directly shall be asked about previous misconduct described in paragraph (a) of 28 CFR 115.17 in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of the reviews of current employees. The Nevada County Corrections Division shall also impose upon employees a continuing affirmative duty to disclose any such misconduct (28 CFR 115.17).

Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination (28 CFR 115.17).

Unless prohibited by law, the Nevada County Sheriff's Office shall provide information on substantiated allegations of sexual abuse, sexual harassment, or sexual misconduct involving a former employee upon receiving a request from an institutional employer for whom such employee.

115.17(b): Policy 606.6 HIRING AND PROMOTION DECISIONS mandates that all applicants and employees who may have contact with incarcerated persons directly shall be asked about previous misconduct described in paragraph (a) of 28 CFR 115.17 in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of the reviews of current employees. The Nevada County Corrections Division shall also impose upon employees a continuing affirmative duty to disclose any such misconduct (28 CFR 115.17). Criminal Record Background checks for randomly selected custody staff and contractors have been uploaded to the Supplemental file.

Interview with Administrative (Human Resources) Staff indicates that the facility considers prior incidents of sexual harassment, when determining whether to hire or promote anyone, or to enlist the services of a contractor, who may have contact with inmates if the agency is made aware of it through background checks, and questioning via promotion interviews.

115.17(c): Policy 606.6 HIRING AND PROMOTION DECISIONS mandates that before hiring new employees, who may have contact with incarcerated persons, the Nevada County Sheriff's Office shall (28 CFR 115.17):

(a) Perform a criminal background check; and

(b). Consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employees for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.

Criminal Record Background checks for randomly selected custody staff and contractors have been uploaded to the Supplemental file.

Interview with Administrative (Human Resources) Staff indicates that the agency performs criminal record background checks or considered pertinent civil or administrative adjudications for all newly hired employees who may have contact with inmates and all employees, who may have contact with inmates, who are considered for promotions. Criminal record background checks are also conducted for any contractor who may have contact with inmates as well.

115.17(d): Policy 606.6 HIRING AND PROMOTION DECISIONS mandates that the Nevada County Sheriff's Office shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with incarcerated persons.

Agency reports that in the past 12 months, 8 contracts for services where criminal background record checks were conducted on all staff covered in the contract who might have contact with inmates.

Interview with Administrative (Human Resources) Staff indicates the agency performs criminal record background checks or considered pertinent civil or administrative adjudications for all newly hired employees who may have contact with inmates and all employees, who may have contact with inmates, who are considered for promotions. Criminal record background checks are also conducted for any contractor who may have contact with inmates as well.

115.17(e): Policy 606 PREA Pg 4 Section 606.6 mandates that every five (5) years a criminal background check shall be conducted on current employees and contractors who may have contact with incarcerated persons or have in place a system for otherwise capturing such information for current employees (28 CFR 115.17)."

Interview with Administrative (Human Resources) Staff indicates that Guardian Alliance Technologies is utilized for background checks via LiveScan for DOJ & FBI checks and credit checks. The FBI background responses notifies Agency should any custody staff or contractor be arrested or detained by law enforcement outside of California during employment with Solano County Sheriff's Department.

115.17(f): Policy 606 PREA Pg 4 Section 606.6 mandates that all applicants and employees who may have contact with incarcerated persons directly shall be asked about previous misconduct described in paragraph (a) of 28 CFR 115.17 in written applications or interviews for hiring or promotions and in any interviews or written self-evaluations conducted as part of the reviews of current employees. The Nevada County Corrections Division shall also impose upon employees a continuing

	<p>affirmative duty to disclose any such misconduct (28 CFR 115.17).  Interview with Administrative (Human Resources) Staff indicates that the Agency asks all applicants and employees who may have contact with inmates about previous misconduct in Britain applications for hiring or promotions, and any interviews or written self evaluations conducted as part of reviews of current employees.</p> <p>115.17(g): Policy 115.17(A)1. 606 PREA Pg 5 Section 606.6.pdf mandates that material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination (28 CFR 115.17).</p> <p>115.17(h): Policy 115.17(A)1. 606 PREA Pg 5 Section 606.6.pdf mandates that unless prohibited by law, the Nevada County Sheriff's Office shall provide information on substantiated allegations of sexual abuse, sexual harassment, or sexual misconduct involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work (28 CFR 115.17).  Interview with Administrative (Human Resources) Staff indicates that before employee applies to work another institution, upon request from that institution, the facility provides information on substantiated allegations of sexual abuse or sexual harassment involving the former employee. Access is provided according to retention schedule and a signed release waiver is required to have access to the information requested.</p> <p><b><u>CONCLUSION:</u></b>  Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.17.</p>
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<b>115.18</b>	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>115.18(a): N/A - Facility reports that the agency/facility has not acquired a new facility or made a substantial expansion or modification to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.  Interview with Agency Head or designee Indicates that no modifications have been made at the Nevada City Jail. Agencies looking to conduct medical expansion in the near future to include camera views.  Interview with Facility Commander or Designee indicates that no expansion or modification to the Nevada City Jail has been conducted.</p> <p>115.18(b): The Pre-Audit Questionnaire reports that The 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.</p>

Interview with the Agency Head or Designee indicates that monitoring technology is used to enhance the protection of inmates from incidence of sexual abuse by way of camera views needed in an expansion hallway. Adding video cameras and body worn cameras eliminates blind spots and corners.

Interview with the Facility Commander or Designee indicates that when, installing or updating monitoring technology, such as a video monitoring system, or electronic surveillance, facility considers, using such technology to enhance inmates protection from sexual abuse. The items that the interviewee identifies are blind spots, including body worn cameras, are considered when using such technology.

The Pre-Audit Questionnaire reports that The 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.

Item #3 of the Nevada County Sheriff's Office PREA Staffing Plan October 25, 2024 states that "In April of 2020, Wayne Brown Correctional Facility (WBCF) began a security system upgade. This upgrade includes additional cameras to address "blind spots" in the dayrooms and living areas, booking, and the kitchen. The security system upgrade also allows for more cameras to be recroded for viewing at a later time for PREA complaints.

1. Agency to clarify if electronic surveillance system or other electronic technology was installed or updated since 8/20/2012 or last PREA audit which occurred in 2022.
2. If so, Agency to provide auditor with minutes from meetings referencing installing or updating monitoring technology.

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.18(b) and corrective action is required.

**Corrective Action Recommended:**

115.18(b): The Pre-Audit Questionnaire reports that The 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.

Item #3 of the Nevada County Sheriff's Office PREA Staffing Plan October 25, 2024 states that "In April of 2020, Wayne Brown Correctional Facility (WBCF) began a security system upgade. This upgrade includes additional cameras to address "blind spots" in the dayrooms and living areas, booking, and the kitchen. The security system upgrade also allows for more cameras to be recroded for viewing at a later time for PREA complaints.

1. Agency to clarify if electronic surveillance system or other electronic technology was installed or updated since 8/20/2012 or last PREA audit which occurred in 2022.

	<p>2. If so, Agency to provide auditor with minutes from meetings referencing installing or updating monitoring technology.</p> <p><b>Corrective Action Completion 3/11/25:</b></p> <p>115.18(b): 3/11/25, Upon receipt of the 2022/2023 Staffing Plan, item#3 states that "Since the last PREA audit in 2022, no changes have been made to the security system."</p> <p>The agency/facility has met the requirements of Standard provision(s) 115.18(b) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.18.</p>
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<b>115.21</b>	<b>Evidence protocol and forensic medical examinations</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>115.21(a): The agency/facility is responsible for conducting administrative and criminal sexual abuse investigations (including inmate-on-inmate sexual abuse or staff sexual misconduct). When conducting a sexual abuse investigation, the agency investigators follow a uniform evidence protocol per Policy 802 Property and Evidence:</p> <p><b>802.3.1 PROPERTY BOOKING PROCEDURE</b></p> <p>All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:</p> <p>(a) Complete the property entry in RMS describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.</p> <p>(b) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property.</p> <p>(c) Once the entry is complete in RMS, print an evidence tag and attach it to each package or envelope in which the property is stored.</p> <p>(d) Place the case number and item number in the upper right hand corner of the bag. Each package/envelope shall be sealed with evidence cellophane tape across any points of entry. The employee shall place his/her initials and the date along the evidence tape seal.</p> <p>(e) The original property form shall be submitted with the case report. A copy of the property receipt shall be given to the person from whom the property was taken, or left at the scene if no person is present.</p>

### 802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time on the chain of custody forms.

The Property and Evidence Technician releasing the evidence must complete the required information in RMS. The chain of custody forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the employee will record the delivery time, and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Sheriff's Property Unit.

### 802.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to deputies for investigative purposes, or for court, shall be noted in RMS, stating the date, time and to whom released.

The Property and Evidence Technician shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded in RMS, indicating date, time, and the person who returned the property.

Interview with Random Sample of Staff indicates that staff understands the agency's protocol for obtaining usable physical evidence if an inmate alleges sexual abuse is to secure the crime scene and notify supervisor.

Agency is requested to provide auditor with copy of the Uniform Evidence Protocol used by investigators when conducting a sexual abuse investigation, such as "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011.

1. Please place the requested documentation into the Supplemental File for auditor access.

115.21(b): Agency reports that uniform evidence protocol is not developmentally appropriate for youth as Agency does not house youthful inmates. Agency provided auditor with copy of Property and Evidence Policy 802 which provides for the proper collection, storage, and security of evidence and other property. Additionally, he policy provides for the protection of the chain of evidence and identifies those persons authorized to remove and/or destroy property.

Policy 606 PREA pg 17 Section 606.15 mandates that 606.15 SEXUAL ABUSE , SEXUAL HARASSMENT, SEXUAL MISCONDUCT INVESTIGATIONS:

An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.22). Allegations of sexual abuse, sexual harassment, and sexual misconduct are referred for investigation to the Nevada County Sheriff's Office unless the allegation does not involve potentially criminal behavior. All referrals shall be documented. All

investigations shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).

Incarcerated persons alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim is considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

Agency has not provided the alternative source used to develop the protocol utilized to developing similarly comprehensive protocols.

1. Agency to upload to the supplemental file the alternative source used to develop the protocol

115.21(c): The facility offers all inmates who experience sexual abuse access to forensic medical examinations. No forensic medical examinations are conducted on site. The facility offers all inmates who experience sexual abuse access to forensic medical examinations at an outside facility. Treatment services are provided free of charge to every victim of sexual abuse, regardless of whether the victim discloses the name of the abuser or fails to cooperate with any investigation arising out of the incident per Wellpath Nevada County California Policies and Procedures Response to Sexual Abuse.

Agency reports that Where possible, examinations are conducted by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). When SANEs or SAFEs are not available, a qualified medical practitioner performs forensic medical examinations. The facility documents efforts to provide SANEs or SAFEs. Agency states that no sexual abuse incidents have occurred that required forensic examinations in the past 12 months.

Interview with the forensic director at The Bear Clinic in Sacramento indicate they handle all forensic examinations for Nevada County Jail and Truckee Lockup Facility. They are available 24/7 and use the outpatient Bear Clinic to conduct the forensic examinations. Advocates are provided by the hospital in the event an advocate does not accompany the victim. They provide STD prophylaxis, pregnancy tests, emergency contraception and pregnancy education.

115.21(d): Agency obtained an operational agreement MOU between Nevada County Sheriff's Office and community Beyond Violence Crisis Intervention which provides:

- 24 hour Crisis line
- Advocacy response within 30 minutes of requested presence
- Crisis intervention
- Certified counseling
- Advocacy for victims and accompaniment of Law Enforcement/Hospitals/Court/Social Services

If and when a rape crisis center is not available to provide victim advocate services, the facility does not provide a qualified staff member from a community-based organization or a qualified agency staff member.

Interview with PREA Compliance Manager indicates that if requested by the victim, the Agency and SAFE/SANE automatically provides an advocate who provides emotional support, crisis intervention, information and referrals during the forensic medical examination process and investigatory interviews. Agency indicates they have an MOU agreement with Community Beyond Violence which provides a victim advocate for a forensic examination.

The sexual abuse reporting was identified as sexual harassment.

Agency indicates that If and when a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff member from a community-based organization or a qualified agency staff member.

1. If the above narrative is the case, what alternative means does the Agency provide a victim of sexual abuse? Please advise via the Supplemental file.

115.21(e): Policy 606 PREA PG 16 Section 606.14 mandates that 606.14 EXAMINATION, TESTING, AND TREATMENT

Examination, testing, and treatment shall include the following (15 CCR 1206):

(a). Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANE)s. If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination. The Office shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).

(b). If requested by the victim, a victim advocate, a qualified office staff member, or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information, and referrals (28 CFR 115.21).

(c). Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.82).

(d). Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.

(e). Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections, and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.

(f). Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.

(g) Victims shall be provided with 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 (28 CFR 115.83).

(h) Treatment services shall be 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 (28 CFR 115.82; 28 CFR 115.83).

(i) The health authority or mental health staff shall obtain informed consent from incarcerated persons before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the incarcerated person is under the age of 18 (28 CFR 115.81).

(j) Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions (28 CFR 115.81).

Upon return to the Jail, all victims of a sexual assault shall be referred to mental health staff for an urgent suicide risk assessment:

(a) Mental Health staff shall evaluate the victim within four (4) hours of referral. Until that time, the incarcerated person shall be placed under constant direct supervision to ensure he/she does not attempt to hurt himself/herself or someone else.

(b) Mental Health staff shall be responsible for monitoring the victim for suicidal impulses, post-traumatic stress disorder, depression, and other mental health consequences.

(c) The victim shall be offered crisis intervention counseling, appropriate to the individual

Interview with PREA Compliance Manager indicates that Nevada County Sheriff's officer has obtained an MOU with Community Beyond Violence Rape Crisis Center. All our staff and volunteers who provide direct supportive services must undergo a 72 hour Crisis Intervention Training to become a certified peer counselor. We offer this training a few times a year in-person at our Client Service Center.

Advocate training is certified by the California Office Of Emergency Services (CalOES). It meets the certification requirements as a Counselor/Advocate for our domestic violence and sexual assault service agency (Community Beyond Violence in Grass Valley, CA) under Section 18294 of the California State Welfare and Institutions Codes and Section 13837 of the Penal Code.

Agency reports that over the past 12 months no IPs reported sexual abuse.

115.21(f): N/A - Agency is responsible for conducting administrative and criminal sexual abuse investigations.

115.21(g): Auditor is not required to audit this provision.

115.21(h): N/A - Agency always makes a victim advocate from a rape crisis center available to victims per CBV MOU 2024 Agreement.

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.21(a), 115.21(b), 115.21(d) and corrective action is required.

**Corrective Action Recommended:**

115.21(a): 11/11/24 - Agency uploaded Policy 606 PREA Section 606.15 Sexual abuse, Sexual Harassment, Sexual Misconduct Investigations, which included the statement:

"Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).

115.21(b): 11/11/24 - Agency uploaded Policy 606 PREA Section 606.15 Sexual abuse, Sexual Harassment, Sexual Misconduct Investigations, which included the statement:

"Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).

115.21(d): Agency indicates that If and when a rape crisis center is not available to provide victim advocate services, the facility provides a qualified staff member from a community-based organization or a qualified agency staff member.

1. If the above narrative is the case, what alternative means does the Agency provide a victim of sexual abuse? Please advise via the Supplemental file.

**Corrective Action Completion 3/22/25 :**

115.21(a): 11/11/24 - Agency uploaded Policy 606 PREA Section 606.15 Sexual abuse, Sexual Harassment, Sexual Misconduct Investigations, which included the statement:

"Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).

115.21(b): 11/11/24 - Agency uploaded Policy 606 PREA Section 606.15 Sexual abuse, Sexual Harassment, Sexual Misconduct Investigations, which included the statement:

"Evidence collection shall be based on a uniform evidence protocol that is adapted

	<p>from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).</p> <p>115.21(d): 3/22/25 , Contact with PREA Coordinator indicates that the Pre-audit Questionnaire response was incorrect.If a rape crisis center is unavailable, a representative from a Community Based Organization will be provided tothe victim. Currently, Nevada County has a signed MOU with Community Beyond Violence (CBV). Community Beyond Violence (CBV) is the alternative to the Rape Crisis Center.</p> <p>The agency/facility has met the requirements of Standard provision(s) 115.21(a), 115.21(b), 115.21(d) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.21.</p>
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<b>115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>115.22(a): The agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment (including inmate-on-inmate sexual abuse and staff sexual misconduct). Policy 606.15 SEXUAL ABUSE , SEXUAL HARASSMENT, SEXUAL MISCONDUCT INVESTIGATIONS mandates that:</p> <p>An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.22). Allegations of sexual abuse, sexual harassment, and sexual misconduct are referred for investigation to the Nevada County Sheriff's Office unless the allegation does not involve potentially criminal behavior. All referrals shall be documented. All investigation shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.</p> <p>Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).</p> <p>Incarcerated persons alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).</p>

If a victim is considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

- Agency reports that in the past 12 months, 9 allegations of sexual abuse and sexual harassment that were received.
- In the past 12 months, 9 allegations resulting in an administrative investigation.
- In the past 12 months, no allegations referred for criminal investigation.
- Referring to allegations received during the past 12 months, all administrative and/or criminal investigations were completed.

Interview with Agency Head or designee indicates that the agency ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse or sexual harassment. Administrative or criminal investigations are completed for allegations of sexual abuse or harassment by:

- Receiving the allegation
- Assigning the investigation
- Gathering information
- Follow-up the allegation
- Assign sworn deputies/investigators
- Determine whether to forward the case to the DA office

115.22(b): Policy 606.15 SEXUAL ABUSE , SEXUAL HARASSMENT, SEXUAL MISCONDUCT INVESTIGATIONS mandates that an administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.22). Allegations of sexual abuse, sexual harassment, and sexual misconduct are referred for investigation to the Nevada County Sheriff's Office unless the allegation does not involve potentially criminal behavior. All referrals shall be documented. All investigation shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports.

Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).

Agency Zero-Tolerance Policy and Reporting Sexual Assaults can be found on the Nevada County Sheriff's website PREA Information.

Interview with Investigative staff indicates that Policy requires that allegations of sexual abuse. or. sexual harassment be referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior. Nevada County Sheriff's Department is responsible for conducting criminal investigations for sexual abuse and sexual harassment.

115.22(c): Agency/facility is responsible for criminal investigations.

115.22(d): Auditor is not required to audit this provision.

115.22(e): Auditor is not required to audit this provision.

	<p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.22.</p>
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<b>115.31</b>	<b>Employee training</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>115.31(a): Per Policy 606 PREA pg 5 Section 606.7 mandates that the agency trains all employees who may have contact with inmates on:</p> <ol style="list-style-type: none"> <li>1). The agency's zero-tolerance policy for sexual abuse and sexual harassment.</li> <li>2). On how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures.</li> <li>3). On the right of inmates to be free from sexual abuse and sexual harassment.</li> <li>4). On the dynamics of sexual abuse and sexual harassment in confinement.</li> <li>5). On the common reactions of sexual abuse and sexual harassment victims.</li> <li>6). On how to detect and respond to signs of threatened and actual sexual abuse.</li> <li>7). On how to avoid inappropriate relationships with inmates.</li> <li>8). on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender-nonconforming inmates.</li> <li>9). On how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities.</li> </ol> <p>Employees shall complete an Employee PREA Acknowledgement form stating that the employee understands the training they have received training pursuant to 28 CFR 115.31. In addition to general training provided to all employees, Nevada County Corrections Division shall ensure that,</p> <p>to the extent that Nevada County Corrections Division conducts sexual abuse investigations, investigators will receive training in conducting investigations in a confinement setting. Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The Nevada County Corrections Division shall maintain documentation that investigators have completed the required specialized training in conducting sexual abuse investigations in a confinement setting (28 CFR 115.34).</p> <p>Agency provided the PREA Preventing Sexual Misconduct Against Offenders 8 hour Instructional Course Outline via the Supplemental File</p> <p>Auditor selected 12 custody staff who completed their initial PREA training, signed the</p>

	<p>training acknowledgement and statement of understanding. 10 selected contractors and 9 volunteers signed their Statement of Understanding and PREA acknowledgement, all completed prior to entry into the facility and contact with inmates.</p> <p>Interview with Random Sample of Staff indicates that 12 staff indicates they took refresher PREA training in 2023 &amp; 2024. The training involved Transgender pat down search via training video, zero-tolerance, IP rights under PREA, dynamics of sexual abuse and sexual harassment, how to detect, mandatory reporting of sexual abuse and sexual harassment, communication with LGBTQ IPs and avoiding inappropriate relationships with IPs.</p> <p>115.31(b): Agency reports that training is tailored to the gender of the inmates at the facility. Employees who are reassigned from facilities housing the opposite gender are given additional training.</p> <p>115.31(c): Between trainings the agency provides employees who may have contact with inmates with refresher information about current policies regarding sexual abuse and sexual harassment. Online yearly county mandated trainings for sexual harassment are conducted. The frequency with which employees who may have contact with inmates receive refresher training on PREA requirements bi-annually.</p> <p>115.31(d): Agency reports the agency documents that employees who may have contact with inmates understand the training they have received through employee signature or electronic verification.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.31.</p>
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<b>115.32</b>	<p><b>Volunteer and contractor training</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>115.32(a): Agency reports that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response.</p> <p>Agency reports that 117 volunteers and contractors, who may have contact with inmates, have been trained in agency's policies and procedures regarding sexual abuse and sexual harassment prevention, detection, and response. Auditor randomly selected 10 contractors and 9 volunteers for Document review selections.</p>
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	<p>Interview with 2 Volunteer(s) &amp; 2 Contractor(s) who have Contact with Inmates indicates that both volunteers and contractors have been trained in their responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response, per agency policy and procedure.</p> <p>115.32(b): Agency provided auditor with PREA Staff Contractor Volunteer Brochure, signed PREA 3 Questions in HR Records Review Tool and signed Vendor-Contractor Education Statement of Understanding also located in the Training Records Review Tool. The level and type of training provided to volunteers and contractors is based on the services they provide and level of contact they have with inmates. All volunteers and contractors who have contact with inmates have been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents</p> <p>Interview with 2 Volunteer(s) &amp; 2 Contractor(s) who have Contact with Inmates indicates that both volunteers and contractors have been trained in their responsibilities regarding sexual abuse and sexual harassment prevention, detection, and response, per agency policy and procedure.</p> <p>115.32(c): The agency maintains documentation confirming that volunteers and contractors understand the training they have received, see PREA Audit Training Records Staff, Contractors, Volunteers.pdf and HR Records Review Tool located in Standard 115.17 for 3 required questions signed documents.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.32.</p>
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<b>115.33</b>	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.33(a): Policy 606 PREA pg 7 Sanction 606.8 Incarcerated Person Education mandates that during the intake booking process all incarcerated persons will receive information about sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.33):</p> <p>(a). The information shall be communicated orally, visually, or in writing accessible to all incarcerated persons including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to incarcerated persons who have limited reading skills.</p> <p>(b) The information shall include the Jail Facility's zero-tolerance stance, self-protection methods (situation avoidance), prevention and intervention, reporting</p>

sexual abuse, treatment and counseling, protection against retaliation, and consequences of false allegations. Appropriate provisions shall be made to ensure effective education for those incarcerated persons with low literacy levels and those with disabilities that hinder their ability to understand the information in the manner provided (28 CFR 115.33):

- (a) Staff conducting the initial education and initial assessment for incarcerated persons will have them read aloud the Pin and Trust Account admonishment.
- (b) This assessment will assist in detecting visual impairment or other disabilities.

Staff will document verification of the offender's orientation and education on PREA by completing the Offender PREA Acknowledgment Form and placing the original signed acknowledgment form in the incarcerated person's hard card.

Within 30 days of intake, incarcerated persons shall receive comprehensive education either orally, visually, or in writing regarding (28 CFR 115.33):

- (a) Their rights to be free from sexual abuse, sexual harassment, and sexual misconduct.
- (b) Their right to be free from retaliation for reporting such abuse, harassment, or misconduct
- (c). Sexual abuse response policies and procedures.

Key information will be continuously and readily available or visible to incarcerated persons through posters, handbooks, or other written formats. Posters will be displayed in appropriate locations which are designed to inform incarcerated persons that the Nevada County Corrections Division has a zero-tolerance policy towards sexual assault, sexual harassment, and sexual misconduct and that all incarcerated persons are encouraged to report any and all instances of sexual abuse, sexual harassment, and sexual misconduct.

Agency reports that 2793 inmates were admitted during past 12 months who were given this information at intake.

Interview with Intake Staff indicates that IPs are provided with information about the zero-tolerance policy and how to report incidents or suspicions of sexual abuse or sexual harassment.

Interview with Inmate Interview Questionnaire indicates that during Intake and Booking, IPs were provided facility's rules against sexual abuse and sexual harassment when signing the IP PREA Acknowledgement form Statement of Understanding. They also received additional PREA training per the PREA video upon entry of their housing unit and access to electronic tablet.

**INTAKE & MOCK MEDICAL PREA INFORMATION:**

During mock intake demo, Intake staff went through the intake process with auditor.

\*Upon Intake at Medical, IP signs HIPPA confidentiality disclosure, Zero Tolerance Acknowledgement, SOTER Pre-Screening Questionnaire

\*Booking and Intake - Jail Management System (JMS) ID screen for FBI & CII identifiers

\*Have IP read PREA Assessment Questionnaire in confidential setting due to the sensitive information per IP.

\*Have IP read PREA Education Form

\*IP screening by intake medical staff

\*12 PREA Questions response in confidential setting (No IPs held solely on Immigration Purposes - TRUST ACT)

\*Language Line call initiated by intake staff to ensure interpretation services are accessed for IPs who are Limited English Proficient

\*IP fingerprinted, housing photos taken

\*IP signs PREA Training Acknowledgement form for both initial and comprehensive PREA training.

\*IP strip search conducted and clothing exchange to include rule book.

\*IP taken to housing unit where they view the PREA video and again sign PREA acknowledgement and obtain electronic tablet if requested.

**INTERPRETATION SERVICES:**

During a mock intake demo, auditor had intake staff member access the interpretation services via the Intake phone. Staff member called Language Line answering service. The answering service asked Staff member the agency access number and client ID number. Asked what language the service would be used for. The Staff member indicated he needed a Spanish Speaking interpreter. Within 2 minutes, the Spanish Speaking Interpreter came on the line, the Answering Service lady left the conversation and the Staff member informed the interpreter that this was a mock calling to test and see if the Language Line service was viable and reached the interpretation service interpreters. Facility had previously provided auditor with 48 Language Line Service invoices for inmates between 8/21/23 and 9/31/24.

115.33(b): Agency reports that 291 or 100% of those inmates admitted during the past 12 months (whose length of stay in the facility was for 30 days or more) received comprehensive education on their rights to be free from both sexual abuse and sexual harassment and retaliation for reporting such incidents and on agency policies and procedures for responding to such incidents within 30 days of intake.

Interview with Intake Staff indicates that in order to ensure IPs have been educated on the agency's zero-tolerance policy on sexual abuse and sexual harassment, agency has IPs sign zero-tolerance narratives on forms during intake, review PREA Posters in intake, read and respond to zero-tolerance and PREA narratives on tablets in the housing units, signage in the PODs and IP Handbook narratives. IPs also have access to OPTI Sign TVs in their respective housing units.

Interview with Inmate Interview Questionnaire indicates that they have access to electronic tablets, Opti-sign TVs in housing units and must sign acknowledgements prior to accessing electronic tablets in their housing units to include comprehensive education when viewing the PREA video upon initial access to their housing unit following intake. They also sign PREA and zero-tolerance acknowledgement forms during intake.

115.33(c): Agency reports that of those who were NOT educated (as stated in 115.33(b)-1) within 30 days of intake, all Incarcerated Persons (IPs) have been educated subsequently by 10/29/24. Standard provision 115.33(c)-4 Does not apply as Nevada County Jail possesses only one Main jail facility.

Interview with Intake Staff indicates that in order to ensure IPs have been educated on the agency's zero-tolerance policy on sexual abuse and sexual harassment,

agency has IPs sign zero-tolerance narratives on forms during intake, review PREA Posters in intake, read and respond to zero-tolerance and PREA narratives on tablets in the housing units, signage in the PODs and IP Handbook narratives. IPs also have access to OPTI Sign TVs in their respective housing units.

115.33(d): Policy 606 PREA Pg 7 Section 606.8 mandates that the information shall be communicated orally, visually, or in writing accessible to all incarcerated persons including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to incarcerated persons who have limited reading skills.

Key information will be continuously and readily available or visible to incarcerated persons through posters, handbooks, or other written formats. Posters will be displayed in appropriate locations which are designed to inform incarcerated persons that the Nevada County Corrections Division has a zero-tolerance policy towards sexual assault, sexual harassment, and sexual misconduct and that all incarcerated persons are encouraged to report any and all instances of sexual abuse, sexual harassment, and sexual misconduct.

115.33(e): Agency reports it maintains documentation of inmate participation in PREA education sessions.

115.33(f): Policy 606 PREA Pg 7 Section 606.8 mandates that the information shall be communicated orally, visually, or in writing accessible to all incarcerated persons including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to incarcerated persons who have limited reading skills.

Key information will be continuously and readily available or visible to incarcerated persons through posters, handbooks, or other written formats. Posters will be displayed in appropriate locations which are designed to inform incarcerated persons that the Nevada County Corrections Division has a zero-tolerance policy towards sexual assault, sexual harassment, and sexual misconduct and that all incarcerated persons are encouraged to report any and all instances of sexual abuse, sexual harassment, and sexual misconduct.

**PREA AUDIT SITE REVIEW:**

During the site review, auditor observed clear signage language via PREA OPTI-Sign TVs in each housing unit. IPs are required to review PREA narrative via OPTI-Sign TV upon entry to assigned housing unit following intake screening in order to complete comprehensive PREA training and sign the PREA acknowledgement forms. Key information and PREA reporting narrative postings are available throughout the facility to include working areas for both staff and IP access and in both English and Spanish. PREA information is also available on the IP handbook and IP tablets. IPs must complete signed PREA acknowledgement prior to accessing the PREA tablets.

IPs also have access to the Community Beyond Violence Rape Crisis Center PREA Hotline in all housing units, Staff break areas, Medical, Intake and Booking. 3rd Party Reporting information is available in postings available at the entrance to Wayne Brown Main Jail Lobby.

**CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.33.

**115.34 Specialized training: Investigations**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

115.34(a): Policy 606 PREA pg 5 Section 606.7 mandates that in addition to general training provided to all employees, Nevada County Corrections Division shall ensure that, to the extent that Nevada County Corrections Division conducts sexual abuse investigations, investigators will receive training in conducting investigations in a confinement setting. Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The Nevada County Corrections Division shall maintain documentation that investigators have completed the required specialized training in conducting sexual abuse investigations in a confinement setting (28 CFR 115.34).

Interview with Investigative Staff indicates that staff received training specific to conducting sex abuse investigations in confinement settings, through the national Institute of corrections course. Training is specific to investigation of sexual assault in confinement settings and includes proper use of Lybarger and Miranda warnings, Interviewing, sexual abuse evidence collection, interviewing techniques and the criteria and evidence required to substantiate a case for administrative or prosecution referral.

115.34(b): Specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.

Interview with Investigative Staff indicates that staff received training specific to conducting sex abuse investigations in confinement settings, through the national Institute of corrections course. Training is specific to investigation of sexual assault in confinement settings and includes proper use of Lybarger, Miranda and Garrity warnings, Interviewing, sexual abuse evidence collection, interviewing techniques and the criteria and evidence required to substantiate a case for administrative or prosecution referral.

115.34(c): The agency maintains documentation showing that investigators have completed the required training. Agency provided auditor with copies of 25 PREA Investigating Sexual Abuse in a Confinement Setting 3 hour training Certificates of

	<p>Completion for 25 custody staff members who completed the training through the National Institute of Corrections (NIC) between the years 2016 and 2022.</p> <p>115.34(d): Auditor is not required to audit this provision.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.34.</p>
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<b>115.35</b>	<b>Specialized training: Medical and mental health care</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.35(a): Policy 606.7.1 MEDICAL AND MENTAL HEALTH STAFF, CIVILIAN STAFF, VOLUNTEER, AND CONTRACTOR TRAINING AT WAYNE BROWN CORRECTIONAL FACILITY:</p> <p>Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors shall have no incarcerated person contact and are not allowed into the secure part of Wayne Brown Correctional Facility until they have initial PREA training/orientation.</p> <p>All Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors who have contact with incarcerated persons shall be notified of the Nevada County Corrections Division zero tolerance policy regarding sexual abuse, sexual harassment, and sexual misconduct and how to report such incidents (28 CFR 115.32).</p> <p>All Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors who have contact with incarcerated persons shall receive orientation and periodic training consistent with their level of incarcerated person contact relating to their responsibilities under the sexual abuse, sexual harassment, and sexual misconduct prevention, detection, and response policies and procedures.</p> <p>Medical and Mental Health Staff, Civilian Staff, Volunteers, and Contractors shall sign a PREA Acknowledgement Form stating that they understood the information and training they have received.</p> <p>Agency reports that 24 medical and mental health care practitioners work regularly at this facility who received the training required by agency policy. 100% of all medical and mental health care practitioners who work regularly at this facility and have received the training required by agency policy.</p> <p>Interview with Medical and Mental Health Staff indicates that other specialized training regarding sexual abuse and sexual harassment has been through the Wellpath provider for both medical and mental health practitioners to include their PREA training.</p> <p>115.35(b): N/A - Agency at this facility does not conduct forensic medical exams. Interview with Medical and Mental Health Staff indicates that neither medical or mental health practitioners conduct forensic examinations, only SAFE/SANE</p>

	<p>practitioners conduct forensic examinations at the BEAR Clinic in Sacramento.</p> <p>115.35(c): The agency maintains documentation showing that medical and mental health practitioners have completed the required training.</p> <p>115.35(d): Medical and mental health care practitioners shall also receive the training mandated for employees under § 115.31 or for contractors and volunteers under § 115.32, depending upon the practitioner's status at the agency.</p> <p><b><u>CONCLUSION:</u></b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.35.</p>
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<b>115.41</b>	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.41(a): Policy 606.9 SCREENING AND ASSESSMENT mandates that all incarcerated persons shall be screened during the booking intake process to assess their risk of being sexually abused by other incarcerated persons or sexually abusive towards other incarcerated persons. If the incarcerated person discloses prior sexual victimization, whether it occurred in an institutional setting or the community, staff shall notify medical staff immediately.</p> <p>The assessment shall be conducted using the "Risk Assessment Questionnaire". The intake screening shall consider, at a minimum, the following criteria to assess incarcerated persons for risk of sexual victimization or being sexually abusive (28 CFR 115.41):</p> <ul style="list-style-type: none"> <li>(a). Age;</li> <li>(b). Physical build;</li> <li>(c). Mental, physical, or developmental disability;</li> <li>(d). Prior incarceration;</li> <li>(e). Criminal history (non-violent vs. violent);</li> <li>(f). Any prior convictions for sex offenses against an adult or child;</li> <li>(g). Perceived to be or is gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;</li> <li>(h). Previous sexual victimization;</li> <li>(i). Incarcerated person own perception of vulnerability;</li> <li>(j). Detained solely for civil immigration purposes;</li> <li>(k). History of sexually abusive behavior;</li> <li>(l). Prior acts of sexual abuse;and</li> <li>(m). History of prior institutional violence or sexual abuse.</li> </ul> <p>Intake screening shall take place within 72 hours after arrival at the facility. incarcerated persons may not be disciplined for refusing to answer, or for not</p>

disclosing complete information in response to questions asked pursuant to criteria (c), (g), (h), or (i) listed above.

Any incarcerated person transferred from the Truckee Facility to Wayne Brown Correctional Facility will have a new risk assessment completed.

Within 30 days from the incarcerated person's arrival, Classification will reassess the incarcerated person's risk of victimization or abusiveness based upon any additional relevant information received since the initial intake screening. An incarcerated person's risk level shall also be reassessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the incarcerated person's risk of sexual victimization or abusiveness.

All information received in response to the incarcerated person's risk assessment questionnaire is to be treated as confidential information and shall only be reported to designated supervisors, classification staff, and medical/mental health staff.

Interview with Staff Responsible for Risk Screening indicates that during intake, IPs read and sign zero-tolerance forms, are made aware of the PREA poster available in intake and PREA signage in the PODS, informed on how to report incidents or suspicions of sexual abuse or sexual harassment, provided copy of the IP handbook when accessing their housing units, conduct signed acknowledgement of PREA initial and comprehensive training following their OPTI-sign TV viewing when they access their respective housing unit and review the PREA comprehensive information when accessing the electronic tablet should they wish to use one.

Interview with Inmate Interview Questionnaire indicates that during intake and booking, IPs are asked if they have been in jail or prison before, whether they have ever been sexually abused, their sexual identity and whether they believed that they might be in danger of sexual abuse while confined in this facility

#### INTAKE & MOCK MEDICAL PREA INFORMATION:

During mock intake demo, Intake staff went through the intake process with auditor.

- \*Upon Intake at Medical, IP signs HIPPA confidentiality disclosure, Zero Tolerance Acknowledgement, SOTER Pre-Screening Questionnaire
- \*Booking and Intake - Jail Management System (JMS) ID screen for FBI & CII identifiers
- \*Use risk screening instrument during the intake process
- \*Have IP read PREA Assessment Questionnaire in confidential setting due to the sensitive information per IP.
- \*Have IP read PREA Education Form
- \*IP screening by intake medical staff
- \*12 PREA Questions response in confidential setting (No IPs held solely on Immigration Purposes - TRUST ACT)
- \*Language Line call initiated by intake staff to ensure interpretation services are accessed for IPs who are Limited English Proficient
- \*IP fingerprinted, housing photos taken
- \*IP signs PREA Training Acknowledgement form for both initial and comprehensive PREA training.
- \*IP strip search conducted and clothing exchange to include rule book.
- \*IP taken to housing unit where they view the PREA video and again sign PREA

acknowledgement.

115.41(b): Policy 606.9 SCREENING AND ASSESSMENT mandates that all incarcerated persons shall be screened during the booking intake process to assess their risk of being sexually abused by other incarcerated persons or sexually abusive towards other incarcerated persons. If the incarcerated person discloses prior sexual victimization, whether it occurred in an institutional setting or the community, staff shall notify medical staff immediately.

Intake screening shall take place within 72 hours after arrival at the facility. incarcerated persons may not be disciplined for refusing to answer, or for not disclosing complete information in response to questions asked pursuant to criteria (c), (g), (h), or (i) listed above.

Any incarcerated person transferred from the Truckee Facility to Wayne Brown Correctional Facility will have a new risk assessment completed.

Interview with Staff Responsible for Risk Screening indicates that Interview with Staff Responsible for Risk Screening indicates that during intake, IPs read and sign zero-tolerance forms, are made aware of the PREA poster available in intake and PREA signage in the PODS, informed on how to report incidents or suspicions of sexual abuse or sexual harassment, provided copy of the IP handbook when accessing their housing units, conduct signed acknowledgement of PREA initial and comprehensive training following their OPTI-sign TV viewing when they access their respective housing unit and review the PREA comprehensive information when accessing the electronic tablet should they wish to use one.

Interview with Inmate Interview Questionnaire indicates that Interview with Inmate Interview Questionnaire indicates that during intake and booking, IPs are asked if they have been in jail or prison before, whether they have ever been sexually abused, their sexual identity and whether they believed that they might be in danger of sexual abuse while confined in this facility

115.41(c): Agency reports risk assessment is conducted using an objective screening instrument or Risk Screening Questionnaire.

115.41(d): Policy 606.9 SCREENING AND ASSESSMENT mandates that the assessment shall be conducted using the "Risk Assessment Questionnaire." The intake screening shall consider at a minimum, the following criteria to assess incarcerated persons for risk of sexual victimization or being sexually abusive:

- (a). Age;
- (b). Physical build;
- (c). Mental, physical, or developmental disability;
- (d). Prior incarceration;
- (e). Criminal history (non-violent vs. violent);
- (f). Any prior convictions for sex offenses against an adult or child;
- (g). Perceived to be or is gay, lesbian, bisexual, transgender, intersex, or gender nonconforming;
- (h). Previous sexual victimization;
- (i). Incarcerated person own perception of vulnerability;
- (j). Detained solely for civil immigration purposes;
- (k). History of sexually abusive behavior;

- (l). Prior acts of sexual abuse;and
- (m). History of prior institutional violence or sexual abuse.

Interview with Staff Responsible for Risk Screening indicates that IPs are educated regarding their rights to be free from sexual abuse and sexual harassment, and free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. IP's receive this information upon intake at the facility and access to their respective housing units via the mandated OPTI-sign television PREA video.

115.41(e): The initial screening shall consider:

- (k). History of sexually abusive behavior
- (l). Prior acts of sexual abuse and
- (m). History of prior institutional violence or sexual abuse

Interview with Staff Responsible for Risk Screening Interview with Staff Responsible for Risk Screening indicates that IPs are educated regarding their rights to be free from sexual abuse and sexual harassment, and free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents. IP's receive this information upon intake at the facility and access to their respective housing units via the mandated OPTI-sign television PREA video.

115.41(f): Policy 606.9 SCREENING AND ASSESSMENT mandates that within Within 30 days from the incarcerated person's arrival, Classification will reassess the incarcerated person's risk of victimization or abusiveness based upon any additional relevant information received since the initial intake screening. An incarcerated person's risk level shall also be reassessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the incarcerated person's risk of sexual victimization or abusiveness.

All information received in response to the incarcerated person's risk assessment questionnaire is to be treated as confidential information and shall only be reported to designated supervisors, classification staff, and medical/mental health staff.

Interview with Staff Responsible for Risk Screening indicates that IP risk levels are reassessed within 30 days of intake.

Interview with Inmate Interview Questionnaire indicates that IPs may be asked the assessment questions they initially received in intake screening if they are questioned by medical or mental health.

115.41(g): Policy 606.9 SCREENING AND ASSESSMENT mandates that within Within 30 days from the incarcerated person's arrival, Classification will reassess the incarcerated person's risk of victimization or abusiveness based upon any additional relevant information received since the initial intake screening. An incarcerated person's risk level shall also be reassessed when warranted due to referral, request, incident of sexual abuse, or receipt of additional information that bears on the incarcerated person's risk of sexual victimization or abusiveness.

All information received in response to the incarcerated person's risk assessment questionnaire is to be treated as confidential information and shall only be reported to designated supervisors, classification staff, and medical/mental health staff.

Interview with Staff Responsible for Risk Screening indicates that IP risk levels are reassessed face to face within 30 days since intake. Reassessments are documented in the Jail Management System (JMS).

Interview with Inmate Interview Questionnaire indicates that IPs may be asked the assessment questions they initially received in intake screening if they are questioned by medical or mental health.

115.41(h): Policy 606.9 SCREENING AND ASSESSMENT mandates that incarcerated persons may not be disciplined for refusing to answer, or for not disclosing complete information in response to questions asked pursuant to criteria (c), (g), (h), or (i).

Interview with Staff Responsible for Risk Screening indicates that IPs are not disciplined in any way for refusing to respond to or for not disclosing complete information related to the PREA questions.

115.41(i): Policy 606.9 SCREENING AND ASSESSMENT mandates that intake screening shall take place within 72 hours after arrival at the facility. incarcerated persons may not be disciplined for refusing to answer, or for not disclosing complete information in response to questions asked pursuant to criteria (c), (g), (h), or (i) listed above.

Any incarcerated person transferred from the Truckee Facility to Wayne Brown Correctional Facility will have a new risk assessment completed.

Interview with PREA Coordinator indicates that classification staff has access to IP's Risk Assessment. Any other staff access is on a needed to know basis.

Interview with PREA Compliance Manager indicates that Agency outlines who should have access to it makes risk assessment within the facility in order to protect sensitive information from exploitation. Booking officers conduct risk assessments and maintain access. Classification and mental health have access to the remaining assessment questions. Any other access to risk screening is on need to know basis.

Interview with Staff Responsible for Risk Screening indicates that Agency as outlined, who has access to an inmates, risk assessment within the facility, in order to protect sensitive information from exploitation. Classification staff, lieutenants and above, have access to these assessments.

### **RECORDS STORAGE**

Interview with Nevada County Sheriff IT Information Systems indicates that the Sheriff's Department utilizes the Jail Management System (JMS) for the Booking and Intake database. JMS runs on a special server in the data center (2 separate servers & 1 database server. Sharepoint uses a Microsoft Government Cloud which meets DOJ & CJIS Standards. CLETS Gateway is also utilized in Booking and Release. CLETS looks for outside warrants and is utilized for Live-Scan purposes (DOJ & FBI clearances).

JMS, CLETS & SHAREPOINT are secure databases for the Nevada County Sheriff's Department.

### **CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully

	compliant with Standard 115.41.
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<b>115.42</b>	<b>Use of screening information</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.42(a): Policy 508.11 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS mandates that housing, bed, work, and program assignments should be made to separate incarcerated persons at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Incarcerated persons identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other incarcerated persons and staff. All incarcerated persons identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, incarcerated persons at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there is no available alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68).</p> <p>Housing and program assignments of a transgender or an intersex incarcerated person shall include individualized consideration for the incarcerated person's health and safety and any related supervisory, management, or facility security concerns (15 CCR 1050). A transgender or an intersex incarcerated person's views with respect to their own safety shall be given serious consideration.</p> <p>Lesbian, gay, bisexual, transgender, or intersex incarcerated persons shall not be placed in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement, or legal judgment (28 CFR 115.42).</p> <p>Interview with PREA Compliance Manager indicates that booking officers in intake conduct risk assessments. Classification, medical and mental health have access to the remaining assessment questions. Any other access to risk screening is on need to know basis.</p> <p>Interview with Staff Responsible for Risk Screening indicates that the facility uses information for the risk screening during intake to keep IPs safe from being sexually victimized or from being sexually abusive when facility, assigns appropriate housing and keep-aways for IP safety.</p> <p>115.42(b):508.11 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS Housing, bed, work, and program assignments should be made to separate incarcerated persons at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Incarcerated persons identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other incarcerated persons and staff. All incarcerated</p>

persons identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, incarcerated persons at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there is no available

alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68). Housing and program assignments of a transgender or an intersex incarcerated person shall include individualized consideration for the incarcerated person's health and safety and any

Interview with Staff Responsible for Risk Screening indicates that Interview with Staff Responsible for Risk Screening indicates that the facility uses information for the risk screening during intake to keep IPs safe from being sexually victimized or from being sexually abusive when facility, assigns appropriate housing and keep-aways for IP safety.

115.42(c): 508.11 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS mandate that housing and program assignments of a transgender or an intersex incarcerated person shall include individualized consideration for the incarcerated person's health and safety and any related supervisory, management, or facility security concerns. A transgender or an intersex incarcerated persons views, with respect to their own safety, shall be given serious consideration.

Interview with PREA Compliance Manager indicates that - the agency facility determines housing and program assignments for transgender or intersex inmates. The facility considers whether the placement would be would present management or security problems through review from classification. Classification makes that determination through the classification plan when conducting intake and reassessments.

Agency reported during the Onsite Audit that no Transgender or Intersex IPs were housed in the facility, therefore, no Transgender or Intersex IPs were interviewed.

115.42(d): Agency reports that placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to safety experience by the inmate.

Interview with PREA Compliance Manager indicates that placement program assignments, reach transgender or intersex inmate reassess to review any threats to safety experienced by the inmate. 30-day reassessments after intake and 6 month reviews are conducted. Classification plan determines the classification status for each individual.

Interview with Staff Responsible for Risk Screening indicates that placement of programming assignments reach transgender or intersex inmate is reassessed, at least twice each year to review any threats to safety experience by the inmate. Classification constantly reassesses inmates and transgender's twice each year.

115.42(e): 508.11 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS mandate that a transgender or intersex inmate's own views, with respect to his or her own safety shall be given serious consideration.

Interview with PREA Compliance Manager indicates that Transgender or Intersex IP views with respect to his or her own safety is given serious consideration in

placement and programming assignments.  
 Interview with Staff Responsible for Risk Screening indicates that transgender reader, six inmates views of his or her own safety, is given serious consideration in placement and programming assignments.  
 Agency reported during the Onsite Audit that no Transgender or Intersex IPs were housed in the facility, therefore, no Transgender or Intersex IPs were interviewed.

115.42(f): Agency reports that transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.  
 Interview with the PREA Compliance Manager indicates that Transgender and Intersex IPs are given the opportunity to shower separately from other inmates.  
 Interview with Staff Responsible for Risk Screening indicates that Transgender and Intersex IPs are given the opportunity to shower separately from other IPs. During the onsite audit the auditor observed IP showers throughout the facility are private showers.  
 Agency reported that during the Onsite Audit that no Transgender or Intersex IPs were housed in the facility, therefore, no Transgender or Intersex IPs were interviewed.

115.42(g): 508.11 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS mandates that lesbian, gay, bisexual, transgender, or intersex incarcerated persons shall not be placed in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement, or legal judgment (28 CFR 115.42).  
 Interview with the PREA Coordinator indicates that the Agency is not subject to a consent decree, legal settlement, or legal judgement requiring LGBTI dedicated facilities, units or wings solely on the basis of LGBTI IPs sexual orientation, genital status, or gender identity.  
 PREA Compliance Manager indicates that Agency is not subject to a consent decree, legal settlement, or legal judgement requiring LGBTI dedicated facilities, units or wings solely on the basis of LGBTI IPs sexual orientation, genital status, or gender identity.  
 Agency reported that during the Onsite Audit that no Transgender or Intersex IPs were housed in the facility, therefore, no Transgender or Intersex IPs were interviewed.

**CONCLUSION:**  
 Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.42.

<b>115.43</b>	<b>Protective Custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

115.43(a): Policy 508 Classification Pg 6 Section 508.11 mandates that housing, bed, work, and program assignments should be made to separate incarcerated persons at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Incarcerated persons identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other incarcerated persons and staff. All incarcerated persons identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, incarcerated persons at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment

of all available alternatives has been made and it has been determined that there is no available alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68).

Housing and program assignments of a transgender or an intersex incarcerated person shall include individualized consideration for the incarcerated person's health and safety and any related supervisory, management, or facilities, security concerns. Agency reports that no inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment.

Interview with the Facility Commander indicates that are you supposed to prohibits placing inmates at high risk for sexual victimization or who have alledged sexual abuse and involuntary segregated housing in lew of other housing areas, unless an assessment has determined there are no available alternative means of separation from potential abusers.

115.43(b): Agency reports that it makes place in segregated housing for this purpose, shall have access to programs, privileges, education, and work opportunities to the extent possible. If the facility restricts access to programs, privileges, education, or work opportunities, the facility shall document:

- (1) The opportunities that have been limited
- (2). The duration of the limitation; and
- (3). The reasons for such limitations.

115.43(c): Agency reports that in the past 12 months, no inmates at risk of sexual victimization were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement.

Agency reports that no inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment.

Interview with Facility Commander or Designee indicates that - Q: 9, 10

Interview with Staff who Supervise Inmates in Segregated Housing indicates that episode of restricts access to programs, privileges, education, or work opportunities, does the facility documents the opportunities, that have been a limited, the duration of the limitations, and the reasons for such limitations.

Interview with Inmates in Segregated Housing (for risk of sexual victimization/who allege to have suffered sexual abuse) indicates that no limitations or restricted access to programs or privileges were identified.

115.43(d): Agency reports that in the past 12 months, no inmates at risk of sexual victimization were assigned to involuntary segregated housing for longer than 30 days while awaiting alternative placement.

Agency reports that no inmates at risk of sexual victimization who were held in involuntary segregated housing in the past 12 months for one to 24 hours awaiting completion of assessment.

115.43(e): Policy 606 Pg 21 Section 606.17 Protective Custody mandates that Incarcerated person placed in temporary protective custody shall continue to have reasonable access to programs, privileges, education and work opportunities to the extent possible. If restrictions are put in place, the following shall be documented in a Jail Incident Report and in the incarcerated person's Classification screen in the Jail Management System:

- a) The opportunities that have been limited;
- (b) The duration of the limitation; and
- (c) The reasons for such limitations.

Every 30 days, Classification shall afford each such incarcerated person a review to determine whether there is a continuing need for protective custody (28 CFR 115.43). Interview with Staff who Supervise Inmates in Segregated Housing indicates that once an IP is assigned to involuntary segregated housing, the facility reviews the IP circumstances.

Interview with Inmates in Segregated Housing (for risk of sexual victimization/who allege to have suffered sexual abuse) indicates that no limitations or restricted access to programs or privileges were identified.

**CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.43.

<b>115.51</b>	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

15.51(a): Policy 606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL

MISCONDUCT mandates that any employee or agency representative who becomes aware of an incident of sexual abuse, sexual harassment, or sexual misconduct, retaliation against incarcerated persons or staff, or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation shall immediately notify a supervisor (28 CFR 115.61). Staff may also privately report sexual abuse, sexual harassment, and sexual misconduct of incarcerated persons to Human Resources (28 CFR 115.51; 15 CCR 1029).

Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to the above paragraph of this section and to inform incarcerated persons of the practitioner's duty to report, and the limitations of confidentiality at the initiation of service.

Threats or allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation, regardless of the source, shall be documented and referred for investigation. Only the facilities' designated sexual abuse investigators may investigate any allegations of sexual abuse, sexual harassment, or sexual misconduct. Reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61).

If the alleged victim is under the age of 18 or considered a vulnerable adult under State or local vulnerable person's statute, the Nevada County Corrections Division shall report the allegation to the designated State or local agency under applicable mandatory reporting laws. When the facility learns that an incarcerated person is subject to a substantial risk of imminent sexual abuse immediate action shall be taken to protect the incarcerated person.

Interview with Random Sample of Staff indicates that IPs can privately report sexual abuse and sexual harassment, retaliation by inmates or staff for reporting sexual abuse and sexual harassment of staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment through providing grievances in the grievance lock box for each POD, Kiosk or alert Medical. Interview on 12 IPs indicates that they would report sexual abuse or sexual harassment that happened to them or someone else by calling the PREA Hotline to report anonymously. or submitting a grievance

**SIGNAGE:**

During the onsite audit, the auditor observed PREA Signage throughout the facility. PREA Reporting Signage is available in each IP housing unit near phones, Optis-sign televisions in each housing unit, notice of auditor in English and Spanish posted throughout the facility ad housing units to include the facility entry lobby, intake, booking, Staff break rooms, medical and facility hallways, etc.

**TESTING INTERNAL REPORTING METHODS FOR CONFINED PERSONS:**

IPs are informed of informal reporting methods in booking, intake Medical, PREA posters and Community Violence Solutions Rape Crisis Hotline. Internal methods are provided in the IPs Inmate Handbook Pg 45 which provides topics for reporting sexual abuse and what to do if you have been sexually assaulted. Agency also has GTL hotline which once they have been notified of sexual abuse or sexual harassment,

they immediately notify the Nevada County Jail. Auditor conducted a mock sexual abuse test to GTL on 12/3/24 and the

**PROCESSES FOR SENDING AND RECEIVING MAIL (MAIL DROP BOXES/MAILROOM):  
POSTAL SERVICE**

Incoming mail will be delivered Monday through Friday of each week, excluding holidays. All mail entering and leaving the jail is opened and searched for contraband and the writing will be scanned for security issues. The only exception will be legal mail between an incarcerated person and their attorney (or any member of the State Bar), correspondence from State and Federal Courts, legal services organizations (ACLU, Prison Law Offices, California Appellate Project), Office of the Sheriff, Internal Affairs, and the Bureau Commander or Watch Commander; or "confidential" mail to or from any holder of public office, Foreign Consular Officials, the Board of State and Community Corrections (BSCC), Probation, Parole, physicians, religious advisors, Vote-by-Mail Ballots, and County agencies regarding child custody proceedings.

Official mail sent directly from local, state or government offices will be inspected for authenticity prior to delivery to incarcerated people (e.g., Social Security, DMV, Veteran's Affairs, Child Support Services, Unemployment, Welfare, Health and Human Services, Probation, Parole, Registrar of Voters, etc.).

Outgoing mail will be collected and placed into the US Postal Service drop box.

Outgoing mail will be sealed by the housing officer after being scanned and searched for contraband. There is no limit on the amount of outgoing mail you may send.

Written correspondence with the Courts, Probation, and defense attorneys will be done in letter form and must be sent through the US Postal Service.

Pre-stamped envelopes may be purchased through the facility commissary. If you have no money on your books, an indigent pack consisting of 4 stamped envelopes and 8 pieces of paper will be provided to enable you to send four (4) letters per week, excluding legal correspondence. Indigent packs are to be requested through the kiosk or tablet. Each indigent pack will be charged at a rate of \$1.50 debited against any future funds placed on your account.

Confidential Correspondence: Such mail should be marked "Legal Mail". Legal mail is considered any correspondence to or from state and federal courts, any member of the State Bar or holder of public office, and the State Board of Community Corrections. Legal mail will be opened in your presence and searched for contraband. There should be "no expectation of privacy" unless the envelope is clearly marked "Legal Mail". Any other use of legal mail envelopes is fraud and may result in discipline or criminal charges.

Envelopes stamped "Legal Mail" are provided to indigent incarcerated persons. Each "Legal Mail" indigent pack will be charged at a rate of \$1.50 debited against any future funds placed on your account. Incarcerated persons may write "Legal Mail" on the face of an envelope that has already been purchased. Mail so marked will be verified to ensure that it meets the necessary criteria to be considered legal mail. You may correspond confidentially with the Jail Facility Manager (Commander) and the Jail Facility Administrator (Sheriff)

**RECORD STORAGE:**

Interview with Nevada County Sheriff IT Information Systems indicates that the

Sheriff's Department utilizes the Jail Management System (JMS) for the Booking and Intake database. JMS runs on a special server in the data center (2 separate servers & 1 database server. Sharepoint uses a Microsoft Government Cloud which meets DOJ & CJIS Standards. CLETS Gateway is also utilized in Booking and Release. CLETS looks for outside warrants and is utilized for Live-Scan purposes (DOJ & FBI clearances). JMS, CLETS & SHAREPOINT are secure databases for the Nevada County Sheriff's Department.

115.51(b): Policy 606.10.2 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT mandates that incarcerated persons may report incidents anonymously or any allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation by other incarcerated persons or staff for reporting sexual abuse, sexual harassment, or sexual misconduct and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member they choose. Staff shall accommodate all incarcerated person requests to report allegations. Staff shall accept reports made verbally, in writing, anonymously, or from third parties and shall promptly document all verbal reports.

Incarcerated persons may also anonymously report incidents to Community Beyond Violence, the National Sexual Assault Hotline, the Attorney General's Public Inquiry Unit, or by using the PREA hotline on the incarcerated person phone system. Phone numbers and addresses are located in the Informational Handbook (28 CFR 115.51; 15 CCR 1029). All calls are toll-free and are not recorded or monitored.

The facility shall enable reasonable communication between incarcerated persons and these organizations and agencies in as confidential a manner as possible. The facility shall inform incarcerated persons, 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 (28 CFR 115.53).

Agency has provided auditor with an operational agreement between Nevada County Sheriff's Office and Community Beyond Violence signed on 10/28/24 for the agreement to stand for a period of (3) years (10/1/2024 - 9/30/2027), and can be altered with the agreement. of both agencies. Roles and responsibilities are as follows:

Roles and Responsibilities of Nevada County Sheriff's Office:

- Refer individuals experiencing interpersonal violence to Community Beyond Violence and offer the CBV 24-hour crisis line number
- Inform victims that they have a right to an advocate that will provide information, support, confidentiality, advocacy, and accompaniment to services and interviews
- Call Community Beyond Violence for Sexual Assault Forensic Exams for teens and adults

Roles and Responsibilities of Community Beyond Violence:

- Maintain 24-Hour Crisis Line
- Staff availability to respond to Law Enforcement and Hospital within 10 minutes
- 30 minute in-person response time when advocate presence is requested
- Crisis intervention for Domestic Violence, Sexual Assault and Human Trafficking
- DV/SA Certified Counseling for Individuals/Groups/Therapy

- Emergency shelter, food, clothing, transportation, and household establishment
- Advocacy for victims and accompaniment to Law Enforcement/Hospitals/Court/Social Services
- Community resource referrals

**Civil Immigration Incarcerated Persons:**

Incarcerated people detained solely for civil immigration purposes who have been sexually abused or sexually harassed will be provided information on how to contact relevant consular officials. You can submit a request through the kiosk, ask any correctional officer, or submit a written request. Be sure to let us know the country of the Consulate you are requesting to notify.

Report the incident to the following confidential toll-free numbers that have been made non-recorded by the facility:

The ICE ERO Detention Reporting and Information Line is a toll-free service for the purpose of reporting sexual assault/abuse. 1-888-351-4024. Live trained operators are available Monday through Friday (excluding holidays) from 8:00 a.m. to 8:00 p.m. (Eastern Time) to respond to inquiries from those in ICE detention and from community members. Language assistance, including Spanish operators, is also available.

You can also write to the Department of Homeland Security, Office of Inspector General:

DHS Office of Inspector General/MAIL STOP 0305

Attn: Office of Investigations-Hotline

245 Murray Lane SW

Washington, DC 20528-0305

1-800-323-8603

Interview with PREA Compliance Manager indicates that facility provides at least one way for inmates to report abuse or harassment to public or private entity or office that is not part of the agency. They would report via the PREA Hotline to Community Beyond Violence as both are confidential reporting and provides immediate transmission of inmate reports of sexual abuse and sexual harassment to agency officials that allow the inmate to remain anonymous upon request. GTL can also be utilized by IPs as they can remain anonymous.

Interview with Inmate Interview Questionnaire indicates that the IP would contact outside services via the PREA Hotline or contact Medical or Mental health to report. IP also indicated that she was aware that IPs are allowed to make a report anonymously.

**SIGNAGE:**

During the onsite audit, the auditor observed PREA Signage throughout the facility. PREA Reporting Signage is available in each IP housing unit near phones, Optis-sign televisions in each housing unit, notice of auditor in English and Spanish posted throughout the facility and housing units to include the facility entry lobby, intake, booking, Staff break rooms, medical and facility hallways, etc.

**TESTING EXTERNAL REPORTING METHODS FOR CONFINED PERSONS:**

On 12/3/24 during the Onsite Audit, auditor conducting external reporting methods for confined persons to Community Beyond Violence and GTL. I contacted both

entities via inmate phone in Intake and contacted the answering service for Community Beyond Violence. The answering service took some information and referred me to an ADVOCATE who spoke with me further to verify who I was and the nature of the call (Mock Sexual abuse or Sexual harassment. She indicated that she would contact Nevada County Jail PREA Coordinator to inform the agency that a Mock PREA call was initiated by the PREA auditor to verify actions went through their hotline to be reported to the Nevada County Jail.

Auditor then made the call to GTL. This service takes calls, obtain the required information and immediately notifies the Nevada County Jail by electronic alerts to all upper level and medium level staff that a report of sexual abuse arrived. Both entities contacted the Nevada County Jail staff on the same day the initial call was conducted.

#### PROCESSES FOR SENDING AND RECEIVING MAIL (MAIL DROP BOXES/MAILROOM): POSTAL SERVICE

Incoming mail will be delivered Monday through Friday of each week, excluding holidays. All mail entering and leaving the jail is opened and searched for contraband and the writing will be scanned for security issues. The only exception will be legal mail between an incarcerated person and their attorney (or any member of the State Bar), correspondence from State and Federal Courts, legal services organizations (ACLU, Prison Law Offices, California Appellate Project), Office of the Sheriff, Internal Affairs, and the Bureau Commander or Watch Commander; or "confidential" mail to or from any holder of public office, Foreign Consular Officials, the Board of State and Community Corrections (BSCC), Probation, Parole, physicians, religious advisors, Vote-by-Mail Ballots, and County agencies regarding child custody proceedings.

Official mail sent directly from local, state or government offices will be inspected for authenticity prior to delivery to incarcerated people (e.g., Social Security, DMV, Veteran's Affairs, Child Support Services, Unemployment, Welfare, Health and Human Services, Probation, Parole, Registrar of Voters, etc.).

Outgoing mail will be collected and placed into the US Postal Service drop box.

Outgoing mail will be sealed by the housing officer after being scanned and searched for contraband. There is no limit on the amount of outgoing mail you may send.

Written correspondence with the Courts, Probation, and defense attorneys will be done in letter form and must be sent through the US Postal Service.

Pre-stamped envelopes may be purchased through the facility commissary. If you have no money on your books, an indigent pack consisting of 4 stamped envelopes and 8 pieces of paper will be provided to enable you to send four (4) letters per week, excluding legal correspondence. Indigent packs are to be requested through the kiosk or tablet. Each indigent pack will be charged at a rate of \$1.50 debited against any future funds placed on your account.

Confidential Correspondence: Such mail should be marked "Legal Mail". Legal mail is considered any correspondence to or from state and federal courts, any member of the State Bar or holder of public office, and the State Board of Community Corrections. Legal mail will be opened in your presence and searched for contraband. There should be "no expectation of privacy" unless the envelope is clearly marked "Legal Mail". Any other use of legal mail envelopes is fraud and may result in

discipline or criminal charges.

Envelopes stamped "Legal Mail" are provided to indigent incarcerated persons. Each "Legal Mail" indigent pack will be charged at a rate of \$1.50 debited against any future funds placed on your account. Incarcerated persons may write "Legal Mail" on the face of an envelope that has already been purchased. Mail so marked will be verified to ensure that it meets the necessary criteria to be considered legal mail. You may correspond confidentially with the Jail Facility Manager (Commander) and the Jail Facility Administrator (Sheriff)

115.51(c): Policy 606.10.2 INCARCERATED PERSON/THIRD PARTY REPORTING

Incarcerated persons may report incidents anonymously or any allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation by other incarcerated persons or staff for reporting sexual abuse, sexual harassment, or sexual misconduct and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member they choose. Staff shall accommodate all incarcerated person requests to report allegations. Staff shall accept reports made verbally, in writing, anonymously, or from third parties and shall promptly document all verbal reports.

Incarcerated persons may also anonymously report incidents to Community Beyond Violence, the National Sexual Assault Hotline, the Attorney General's Public Inquiry Unit, or by using the PREA hotline on the incarcerated person phone system. Phone numbers and addresses are located in the Informational Handbook (28 CFR 115.51; 15 CCR 1029). All calls are toll-free and are not recorded or monitored.

The facility shall enable reasonable communication between incarcerated persons and these organizations and agencies in as confidential a manner as possible. The facility shall inform incarcerated persons, 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 (28 CFR 115.53).

Persons detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security. Third party complaints of sexual assault, sexual harassment, or sexual misconduct on behalf of an incarcerated person currently or previously housed in confinement at a Nevada County Jail. Interview with Random Sample of 12 staff indicates that Image religious social view sexual-harassment here she can do so verbally, in writing, anonymously, and third parties. Staff member that was interviewed indicated that he documents verbal reports ordinarily after an inmate makes a verbal report to him in order to document it he creates the documentation for the verbal report as soon as possible.

Interview with 13 Inmates via Interview Questionnaire indicates that inmates or IPs can make reports of sexual abuse or sexual harassment either in person or in writing. Friends or relatives can make reports for him/her and victim does not have to be named. The custody staff receiving the complaint must document the complain as soon as possible, no later that the end of shift,

115.51(d): Policy 606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT mandates that any employee or agency representative who

	<p>becomes aware of an incident of sexual abuse, sexual harassment, or sexual misconduct, retaliation against incarcerated persons or staff, or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation shall immediately notify a supervisor (28 CFR 115.61). Staff may also privately report sexual abuse, sexual harassment, and sexual misconduct of incarcerated persons to Human Resources (28 CFR 115.51; 15 CCR 1029). Staff is informed of reporting methods via training on staff private reporting instruction to any supervisor, Command Staff and Human Resource Staff to include a PREA Cheat Card titled 1st Responder Actions for Sexual Abuse as part of the 1st Responder Protocol. Interview with 12 Random Sample of Staff indicates that IPs that were interviewed were Booked into the Nevada County Jail in year 2003 or 2004. IPs who were interviewed remember the Intake staff asked the interview questions in #7 and question #8 of the intake questionnaire.</p> <p><b>TESTING STAFF REPORTING:</b>  During the Onsite. Audit, the auditor interviewed the PREA Coordinator and asked him to provide methods for Staff reporting. The PREA COORDINATOR responded that staff reporting method is ordinarily through their immediate supervisor. If staff does not agree with reporting to their supervisor, they can report to the Facility Commander, the Lt in the chain of command, the PREA Coordinator, Medical or Mental Health practitioner or Human Resources.</p> <p><b>CONCLUSION:</b>  Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.51.</p>
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<b>115.52</b>	<b>Exhaustion of administrative remedies</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>115.52(a): Policy 609.6 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE</p> <p>The following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52; 15 CCR 1029):</p> <p>(a). Incarcerated persons may submit a grievance regarding an allegation of sexual abuse at any time.</p> <p>(b). Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, shall be permitted to assist an incarcerated person in filing requests for administrative remedies relating to</p>

allegations of sexual abuse, and shall also be permitted to file such requests on behalf of incarcerated persons.

(c). Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, permitted to assist incarcerated persons in filing such grievances and to file such grievances on behalf of incarcerated persons if the incarcerated person agrees to have the grievance filed on their behalf. Staff members who receive a grievance filed by a third party on behalf of an incarcerated person shall inquire whether the incarcerated person wishes to have the grievance processed and shall document the incarcerated person's decision.

(d). If the incarcerated person declines to have the request processed on their behalf, the agency shall document the incarcerated person's decision.

(e). Grievances may be submitted to any staff member and need not be submitted or referred to the staff member who is the subject of the complaint. Lockboxes for anonymous submissions of a grievance are located at A and B pod control and in Medical and N section Dayrooms.

(f) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. The supervisor receiving the grievance shall conduct an investigation. Incarcerated persons and staff are not required to attempt to informally resolve grievances related to sexual abuse.

(g) The Correctional Lieutenant shall ensure that grievances related to sexual abuse are investigated and resolved within 90 days of the initial filing. Computation of the 90-day time period shall not include time consumed by incarcerated persons in preparing any administrative appeal. The Correctional Lieutenant may grant an extension of up to 70 days if reasonable to make an appropriate decision. If an extension is granted, the incarcerated person shall be notified in writing and provided a date by which a decision will be made.

(h) At any level of the process, including the appeal, if the incarcerated person does not receive a response within the allotted time, including any properly noticed extension, the incarcerated person may consider the absence of a response to be a denial at that level.

(i). Incarcerated persons may be disciplined for filing a false grievance related to alleged sexual abuse only when it is determined that the incarcerated person filed the grievance in bad faith.

115.52(b):Policy 609.6 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE mandates that the following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52; 15 CCR 1029):

(a). Incarcerated persons may submit a grievance regarding an allegation of sexual abuse at any time.

(b). Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, shall be permitted to assist an incarcerated person in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of incarcerated persons.

(c). Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, permitted to assist incarcerated persons

in filing such grievances and to file such grievances on behalf of incarcerated persons if the incarcerated person agrees to have the grievance filed on their behalf. Staff members who receive a grievance filed by a third party on behalf of an incarcerated person shall inquire whether the incarcerated person wishes to have the grievance processed and shall document the incarcerated person's decision.

(d). If the incarcerated person declines to have the request processed on their behalf, the agency shall document the incarcerated person's decision.

(e). Grievances may be submitted to any staff member and need not be submitted or referred to the staff member who is the subject of the complaint. Lockboxes for anonymous submissions of a grievance are located at A and B pod control and in Medical and N section Dayrooms.

(f) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. The supervisor receiving the grievance shall conduct an investigation. Incarcerated persons and staff are not required to attempt to informally resolve grievances related to sexual abuse.

115.52(c): Policy 609.6 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE mandates that the following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52; 15 CCR 1029):

(a). Incarcerated persons may submit a grievance regarding an allegation of sexual abuse at any time.

(b). Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, shall be permitted to assist an incarcerated person in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of incarcerated persons.

(c). Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, permitted to assist incarcerated persons in filing such grievances and to file such grievances on behalf of incarcerated persons if the incarcerated person agrees to have the grievance filed on their behalf. Staff members who receive a grievance filed by a third party on behalf of an incarcerated person shall inquire whether the incarcerated person wishes to have the grievance processed and shall document the incarcerated person's decision.

(d). If the incarcerated person declines to have the request processed on their behalf, the agency shall document the incarcerated person's decision.

(e). Grievances may be submitted to any staff member and need not be submitted or referred to the staff member who is the subject of the complaint. Lock boxes for anonymous submissions of a grievance are located at A and B pod control and in Medical and N section Dayrooms.

(f) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. The supervisor receiving the grievance shall conduct an investigation. Incarcerated persons and staff are not required to attempt to informally resolve grievances related to sexual abuse.

115.52(d): Policy 609.6(e) ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO

SEXUAL ABUSE mandates that the following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52; 15 CCR 1029):

(e). Grievances may be submitted to any staff member and need not be submitted or referred to the staff member who is the subject of the complaint. Lock boxes for anonymous submissions of a grievance are located at A and B pod control and in Medical and N section Dayrooms.

(f) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. The supervisor receiving the grievance shall conduct an investigation. Incarcerated persons and staff are not required to attempt to informally resolve grievances related to sexual abuse.

Agency reports that In the past 12 months no grievances alleging sexual abuse that involved extensions because final decision was not reached within 90 days:

Agency reports that in the past 12 months, no grievances were filed that alleged sexual abuse.

Agency reports that they always notifies an inmate in writing when the agency files for an extension, including notice of the date by which a decision will be made.

Agency reports that in the past 12 months, no Inmates Reported a Sexual Abuse.

Auditor unable to Interview with inmates who Reported a Sexual Abuse as the Facility identified 2 IPs who reported a sexual abuse. Auditor reviewed the investigation of both cases and found that one IP case was determined to be a sexual harassment allegation. When attempting to interview the 2nd IP who alleged sexual abuse, the IP refused to be interviewed.

115.52(e): Policy 609.6(b) ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE mandates that 609.6 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE

The following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52; 15 CCR 1029):

(a). Incarcerated persons may submit a grievance regarding an allegation of sexual abuse at any time.

(b). Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, shall be permitted to assist an incarcerated person in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of incarcerated persons.

(c) Third parties, including fellow incarcerated persons, staff members, family members, attorneys, and outside advocates, permitted to assist incarcerated persons in filing such grievances and to file such grievances on behalf of incarcerated persons if the incarcerated person agrees to have the grievance filed on their behalf. Staff members who receive a grievance filed by a third party on behalf of an incarcerated person shall inquire whether the incarcerated person wishes to have the grievance processed and shall document the incarcerated person's decision.

**SIGNAGE:** During the onsite audit, the auditor observed PREA Signage throughout the facility. PREA Reporting Signage is available in each IP housing unit near phones,

Optis-sign televisions in each housing unit, notice of auditor in English and Spanish posted throughout the facility ad housing units to include the facility entry lobby, intake, booking, Staff beak rooms, medical and facility hallways, etc. PREA Signage is available in the PREA posters in the Facility entry lobby and visiting.

**TESTING THIRD-PARTY REPORTING:**

On 1/7/24, auditor initiated a 3rd Party Report to Community Beyond Violence.

Auditor reached the answering center, advised what the call was for and was referred to the Chief Operating Officer who indicated that the normal steps taken regarding a 3rd Party Report is to contact the Nevada County Sheriff's Department Wayne Brown Main Jail PREA Coordinator or the Shift Lieutenant to provide the Agency with this information. On 1/7/24, the auditor received a call from the PREA Coordinator to indicate that the Mock 3rd Party report was received from the Community Beyond Violence from the Shift Lieutenant.

115.52(f): Policy 609.6.1 EMERGENCY GRIEVANCES RELATED TO SEXUAL ABUSE mandates that any incarcerated person who believes the person or any other incarcerated person is in substantial risk of imminent sexual abuse may file an emergency grievance with any supervisor. The supervisor shall determine whether immediate action is reasonably necessary to protect the incarcerated person and shall provide an initial response within 48 hours and issue a final decision within five calendar days.

After the investigation is complete, the supervisor will forward the information to the PREA manager.

The initial response and final decision shall be documented and shall include a determination whether the incarcerated person is in substantial risk of imminent sexual abuse and identify actions taken in response to the emergency grievance (28 CFR 115.52). If the emergency grievance is determined not to be an emergency, the grievance may be processed as normal or returned to the incarcerated person. The incarcerated person will be required to follow normal grievance procedures. A written explanation of why the grievance does not qualify as an emergency will be provided to the incarcerated person.

Agency reports that no emergency grievances alleging substantial risk of imminent sexual abuse were filed in the past 12 months.

The agency's policy and procedure for emergency grievances alleging substantial risk of imminent sexual abuse requires that a final agency decision be issued within 5 days.

Agency reports that no grievances alleging substantial risk of imminent sexual abuse filed in the past 12 months that reached final decisions within 5 days.

115.52(g): Policy 609.6(i) Pg 6 mandates that (i). Incarcerated persons may be disciplined for filing a false grievance related to alleged sexual abuse only when it is determined that the incarcerated person filed the grievance in bad faith.

Agency reports that in the past 12 months no inmate grievances alleging sexual abuse that resulted in disciplinary action by the agency against the inmate for having filed the grievance in bad faith.

**CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.52.

<b>115.53</b>	<b>Inmate access to outside confidential support services</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>115.53(a): Policy 606.14.1 ACCESS TO OUTSIDE CONFIDENTIAL SUPPORT SERVICES mandates that Incarcerated persons will be provided access to outside victim advocates for emotional support services related to sexual abuse (28 CFR 115.53). Toll-free, unmonitored victim advocate phone numbers and addresses are located in the informational handbook and through electronic means (i.e. tablets, T.V., etc.) in the housing units for all incarcerated persons, including persons held solely for civil immigration purposes (28 CFR 115.53).</p> <p>Incarcerated persons will be informed, prior to giving them access to outside support services of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that applies to disclosures of sexual abuse made to an outside victim advocate the report will be forwarded to authorities in accordance with mandatory reporting laws, including any limits to confidentiality under federal, state and local laws (28 CFR 115.53).</p> <p>Interview with Inmate Interview Questionnaire indicates that a number of IPs respond to the knowledge of services outside of this facility for dealing with sexual abuse if you needed it. Community Beyond Violence, 3rd Party Line, GTL, PREA Hotline, ICE Hotline for Deportation IPs. The facility provides addresses and Toll Free phone numbers for these outside services. IPs are able to speak with people from these services during their out of cell opportunities.</p> <p>Auditor unable to Interview with inmates who Reported a Sexual Abuse as the Facility identified 2 IPs who reported a sexual abuse. Auditor reviewed the investigation of both cases and found that one IP case was determined to be a sexual harassment allegation. When attempting to interview the 2nd IP who alleged sexual abuse, the IP refused to be interviewed.</p> <p><b>PROCESSES FOR SENDING AND RECEIVING MAIL: POSTAL SERVICE</b></p> <p>Incoming mail will be delivered Monday through Friday of each week, excluding</p>

holidays. All mail entering and leaving the jail is opened and searched for contraband and the writing will be scanned for security issues. The only exception will be legal mail between an incarcerated person and their attorney (or any member of the State Bar), correspondence from State and Federal Courts, legal services organizations (ACLU, Prison Law Offices, California Appellate Project), Office of the Sheriff, Internal Affairs, and the Bureau Commander or Watch Commander; or "confidential" mail to or from any holder of public office, Foreign Consular Officials, the Board of State and Community Corrections (BSCC), Probation, Parole, physicians, religious advisors, Vote-by-Mail Ballots, and County agencies regarding child custody proceedings.

Official mail sent directly from local, state or government offices will be inspected for authenticity prior to delivery to incarcerated people (e.g., Social Security, DMV, Veteran's Affairs, Child Support Services, Unemployment, Welfare, Health and Human Services, Probation, Parole, Registrar of Voters, etc.).

Outgoing mail will be collected and placed into the US Postal Service drop box.

Outgoing mail will be sealed by the housing officer after being scanned and searched for contraband. There is no limit on the amount of outgoing mail you may send.

Written correspondence with the Courts, Probation, and defense attorneys will be done in letter form and must be sent through the US Postal Service.

Pre-stamped envelopes may be purchased through the facility commissary. If you have no money on your books, an indigent pack consisting of 4 stamped envelopes and 8 pieces of paper will be provided to enable you to send four (4) letters per week, excluding legal correspondence. Indigent packs are to be requested through the kiosk or tablet. Each indigent pack will be charged at a rate of \$1.50 debited against any future funds placed on your account.

Confidential Correspondence: Such mail should be marked "Legal Mail". Legal mail is considered any correspondence to or from state and federal courts, any member of the State Bar or holder of public office, and the State Board of Community Corrections. Legal mail will be opened in your presence and searched for contraband. There should be "no expectation of privacy" unless the envelope is clearly marked "Legal Mail". Any other use of legal mail envelopes is fraud and may result in discipline or criminal charges.

Envelopes stamped "Legal Mail" are provided to indigent incarcerated persons. Each "Legal Mail" indigent pack will be charged at a rate of \$1.50 debited against any future funds placed on your account. Incarcerated persons may write "Legal Mail" on the face of an envelope that has already been purchased. Mail so marked will be verified to ensure that it meets the necessary criteria to be considered legal mail. You may correspond confidentially with the Jail Facility Manager (Commander) and the Jail Facility Administrator (Sheriff)

**SIGNAGE:** During the onsite audit, the auditor observed PREA Signage throughout the facility. PREA Reporting Signage is available in each IP housing unit near phones, Optis-sign televisions in each housing unit, notice of auditor in English and Spanish posted throughout the facility ad housing units to include the facility entry lobby, intake, booking, Staff break rooms, medical and facility hallways, etc.

**TESTING TO OUTSIDE EMOTIONAL SUPPORT SERVICES:**

**COMMUNITY BEYOND VIOLENCE:**

On 12/3/2024 auditor initiated a PREA test call conducted to Community Beyond Violence hotline to initiate a mock telephone call to report sexual abuse. By using the phone located in Intake, auditor used the inmate phone which informed me on how to make the call. Auditor made the call and the answering service responded. I told her the reason for the call. The operator quickly transferred me to and Advocate who took the information and indicated that the Nevada County Sheriff's Department with a voice message to the Jail staff.

The message arrived at the facility on 12/3/24 when the PREA Coordinator was informed and he provided auditor with Community Beyond Violence Advocate caller ID and voicemail message for confirmation.

**GTL:**

On 12/3/24 auditor initiated a PREA test call conducted to Nevada County Jail. The answering service took the call and asked for the call details once she heard of the call being a PREA Test Call or report of Sexual Abuse. The Service person was informed of the Facility, inmate (anonymous), call from Booking and Destination. She informed me that the Facility will receive notice by tomorrow.

**3RD PARTY REPORTING:**

Other IPs, Family members etc can conduct a 3rd Party report to Community Beyond Violence on behalf of the IP victim. 3rd Party advocates can call from their home to initiate their report of sexual abuse or sexual harassment of their members.

**PROCESSES FOR SENDING AND RECEIVING MAIL - NEVADA COUNTY SHERIFF'S OFFICE CUSTODY MANUAL POLICY 1008.6**

General Incoming mail: Policy 1008.6 Custody Manual and Interview with mail staff indicates that incoming mail is sorted by staff when received. Staff should process incoming and outgoing mail as expeditiously as reasonably possible. All incoming and outgoing mail should be processed within 24 hours and packages within 48 hours. Assigned correctional officers should open and inspect all incoming and outgoing general mail of current incarcerated persons. The incoming correspondence may be read as frequently as deemed necessary to maintain security or monitor a particular problem.

Outgoing mail: Mail may not be sealed by the incarcerated person and may be read by staff when:

(a). There is reason to believe the mail would:

1. Interfere with the orderly operation of the facility
2. Be threatening to the recipient
3. Facilitate criminal activity

(b). The incarcerated person is on a restricted mail list

(c). The mail is between incarcerated persons.

(d). The envelope has an incomplete return address

When mail is found to be inappropriate in accordance with the provisions of this policy or when an incarcerated person is sent material that is not prohibited by law but is considered contraband by the facility, the material may be returned to the sender or held in the incarcerated person's property to be given to the incarcerated person upon release.

Incarcerated persons are allowed to correspond with other incarcerated persons in this jail, as well as other jails or correctional institutions, as long as they pay for the mailing and the mailing is sent and received through the U.S. Postal Service. Incarcerated persons shall be notified in writing whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the incarcerated person's file in accordance with established records retention schedules.

Policy 1008.6.1 Designation of Staff Authorized to Read Mail mandates that only staff members designated by the Jail Commander are authorized to read incoming and outgoing non-confidential mail. These staff members should receive training on legitimate government interests for reading and censoring mail and related legal requirements (15 CCR 1063)

Confidential Correspondence: Incarcerated persons may correspond confidentially with courts, legal counsel, officials of this office, elected officials, the Department of Corrections, jail inspectors, government officials, or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request

Facility staff may inspect incoming confidential correspondence for contraband, which should be conducted in the presence of the incarcerated person. Facility staff may inspect outgoing confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the incarcerated person.

In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (15 CCR 1063(c)).

All incoming confidential correspondence will be signed for by the incarcerated person using the legal mail receipt at the time the incarcerated person is given the correspondence. The legal mail receipt is then filed in the incarcerated person booking hard card.

Agency reports that access to outside victim advocates for emotional support services related to sexual abuse via Community Beyond Violence agreement indicates the following:

Under reporting rules governing privacy, confidentially, and/or privilege, if you disclose sexual abuse to an outside support services the report will be forwarded to authorities in accordance with mandatory reporting laws, including any limits to confidentiality under federal, state, and local laws.

Per PREA Standard provision 115.53, Agency is mandated to provide inmate access to outside confidential support and victim advocates for emotional support services related to sexual abuse.

Standard provision 115.53(c) mandates that Agency shall 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. Agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

1. Agency to provide auditor via Supplemental file Agency's attempts to enter into the MOU or operational agreement with community service providers who would provide emotional support services, advocacy, limits of confidentiality under federal, state and local laws, provide privacy, confidentiality, privilege and provide anonymous reporting.

115.53(b): Policy 606.14.1 ACCESS TO OUTSIDE CONFIDENTIAL SUPPORT SERVICES mandates that Incarcerated persons will be provided access to outside victim advocates for emotional support services related to sexual abuse (28 CFR 115.53). Toll-free, unmonitored victim advocate phone numbers and addresses are located in the informational handbook and through electronic means (i.e. tablets, T.V., etc.) in the housing units for all incarcerated persons, including persons held solely for civil immigration purposes (28 CFR 115.53).

Incarcerated persons will be informed, prior to giving them access to outside support services of the mandatory reporting rules governing privacy, confidentiality, and/or privilege that applies to disclosures of sexual abuse made to an outside victim advocate the report will be forwarded to authorities in accordance with mandatory reporting laws, including any limits to confidentiality under federal, state and local laws (28 CFR 115.53).

Agency provides IPs to including Civil Immigration IPs access to the Victim Advocate Services via the IP information handbook:

#### VICTIM ADVOCATE SERVICES

If you are a victim of sexual abuse, you can receive free emotional support services from a victim advocate by contacting:

Community Beyond Violence, 960 McCourtney Rd. Grass Valley, CA. 95945.

Hotline: 1-530-272-3467. Calls are not monitored and are confidential.

Civil Immigration Incarcerated Persons:

Calls are not monitored and are confidential.

The ICE ERO Detention Reporting and Information: 1-888-351-4024

Department of Homeland Security, Office of Inspector General: 1-800-323-8603

DHS Office of Inspector General/MAIL STOP 0305

Attn: Office of Investigations-Hotline

245 Murray Lane SW

Washington, DC 20528-0305

Under reporting rules governing privacy, confidentiality, and/or privilege, if you disclose sexual abuse to an outside support services the report will be forwarded to authorities in accordance with mandatory reporting laws, including any limits to confidentiality under federal, state, and local laws.

Interview with Inmate Interview Questionnaire indicates that IPs indicate that they know if what they say to people of these services remains private and confidential.

Auditor unable to Interview with inmates who Reported a Sexual Abuse as the Facility identified 2 IPs who reported a sexual abuse. Auditor reviewed the investigation of both cases and found that one IP case was determined to be a sexual harassment allegation. When attempting to interview the 2nd IP who alleged sexual abuse, the IP

refused to be interviewed.

115.53(c): Agency reports that incarcerated persons may also anonymously report incidents to Community Beyond Violence, the National Sexual Assault Hotline, the Attorney General's Public Inquiry Unit, or by using the PREA hotline on the incarcerated person phone system. Phone numbers and addresses are located in the Informational Handbook (28 CFR 115.51; 15 CCR 1029). All calls are toll-free and are not recorded or monitored.

The facility shall enable reasonable communication between incarcerated persons and these organizations and agencies in as confidential a manner as possible. The facility shall inform incarcerated persons, 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 (28 CFR 115.53).

Agency has provided auditor with an operational agreement between Nevada County Sheriff's Office and Community Beyond Violence signed on 10/28/24 for the agreement to stand for a period of (3) years (10/1/2024 - 9/30/2027), and can be altered with the agreement. of both agencies. Roles and responsibilities are as follows:

Roles and Responsibilities of Nevada County Sheriff's Office:

- Refer individuals experiencing interpersonal violence to Community Beyond Violence and offer the CBV 24-hour crisis line number
- Inform victims that they have a right to an advocate that will provide information, support, confidentiality, advocacy, and accompaniment to services and interviews
- Call Community Beyond Violence for Sexual Assault Forensic Exams for teens and adults

Roles and Responsibilities of Community Beyond Violence:

- Maintain 24-Hour Crisis Line
- Staff availability to respond to Law Enforcement and Hospital within 10 minutes
- 30 minute in-person response time when advocate presence is requested
- Crisis intervention for Domestic Violence, Sexual Assault and Human Trafficking
- DV/SA Certified Counseling for Individuals/Groups/Therapy
- Emergency shelter, food, clothing, transportation, and household establishment
- Advocacy for victims and accompaniment to Law Enforcement/Hospitals/Court/Social Services
- Community resource referrals

Civil Immigration Incarcerated Persons:

Incarcerated people detained solely for civil immigration purposes who have been sexually abused or sexually harassed will be provided information on how to contact relevant consular officials. You can submit a request through the kiosk, ask any correctional officer, or submit a written request. Be sure to let us know the country of the Consulate you are requesting to notify.

Report the incident to the following confidential toll-free numbers that have been made non-recorded by the facility:

The ICE ERO Detention Reporting and Information Line is a toll-free service for the purpose of reporting sexual assault/abuse. 1-888-351-4024. Live trained operators are available Monday through Friday (excluding holidays) from 8:00 a.m. to 8:00 p.m. (Eastern Time) to respond to inquiries from those in ICE detention and from community members. Language assistance, including Spanish operators, is also available.

You can also write to the Department of Homeland Security, Office of Inspector General:

DHS Office of Inspector General/MAIL STOP 0305

Attn: Office of Investigations-Hotline

245 Murray Lane SW

Washington, DC 20528-0305

1-800-323-8603

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.53(a) and corrective action is required.

**Corrective Action Recommended:**

115.53(a): Per PREA Standard provision 115.53, Agency is mandated to provide inmate access to outside confidential support and victim advocates for emotional support services related to sexual abuse.

Standard provision 115.53(c) mandates that Agency shall 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. Agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

1. Agency to provide auditor via Supplemental file Agency's attempts to enter into the MOU or operational agreement with community service providers who would provide emotional support services, advocacy, limits of confidentiality under federal, state and local laws, provide privacy, confidentiality, privilege and provide anonymous reporting.

**Corrective Action Completion 11/15/24 :**

115.53(a): Agency reports that access to outside victim advocates for emotional support services related to sexual abuse via Community Beyond Violence agreement indicates the following:

Under reporting rules governing privacy, confidentiality, and/or privilege, if you disclose sexual abuse to an outside support services the report will be forwarded to authorities in accordance with mandatory reporting laws, including any limits to

	<p>confidentiality under federal, state, and local laws.  Per PREA Standard provision 115.53, Agency is mandated to provide inmate access to outside confidential support and victim advocates for emotional support services related to sexual abuse.  Standard provision 115.53(c) mandates that Agency shall 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. Agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements.</p> <p>1. Agency to provide auditor via Supplemental file Agency's attempts to enter into the MOU or operational agreement with community service providers who would provide emotional support services, advocacy, limits of confidentiality under federal, state and local laws, provide privacy, confidentiality. privilege and provide anonymous reporting.</p> <p>RESPONSE: 11/15/24 - Agency provided MOU with Community Beyond Violence signed on 10/28/24. MOU provides roles and responsibilities of Nevada County Sheriff's Office and Community Beyond Violence 24-hour Crisis Line, Advocacy response and accompaniment to Law Enforcement/Hospitals/Court/Social Services, certified counseling and client confidentiality.</p> <p>The agency/facility has met the requirements of Standard provision(s) 115.53(a) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.53.</p>
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<b>115.54</b>	<b>Third-party reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.54(A): <b>SIGNAGE:</b> During the onsite audit, the auditor observed PREA Signage throughout the facility. PREA Reporting Signage is available in each IP housing unit near phones, Optis-sign televisions in each housing unit, notice of auditor in English and Spanish posted throughout the facility ad housing units to include the facility entry lobby, intake, booking, Staff beak rooms, medical and facility hallways, etc. PREA Signage is available in the PREA posters in the Facility entry lobby and visiting.</p> <p><b>Testing 3rd Party Reporting:</b></p> <p>11:40 hrs on 2/1/2025 auditor contacted Wayne Brown Main Jail via the agency/facility website. Auditor was in contact with custody staff who referred me to the Shift Sergeant as the Jail Commander was currently in a meeting. The Sergeant understood that the auditor was making a Mock 3rd Party call to inform the Jail Commander that a family member was informed by their family member who is</p>

	<p>incarcerated at the Wayne Brown Facility that they were being sexually harassed by their cell mate. The call was made by the auditor as is outlined in the website. The Shift Sergeant indicated he understood the call and would refer the Mock 3rd Party call to the Jail Commander as soon as he completed the meeting. Auditor received response verification call on 2/27/25.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.54.</p>
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<b>115.61</b>	<b>Staff and agency reporting duties</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>115.61(a): Policy 606 PREA Pg9 Section 606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT mandates that any employee or agency representative who becomes aware of an incident of sexual abuse, sexual harassment, or sexual misconduct, retaliation against incarcerated persons or staff, or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation shall immediately notify a supervisor (28 CFR 115.61). Staff may also privately report sexual abuse, sexual harassment, and sexual misconduct of incarcerated persons to Human Resources (28 CFR 115.51; 15 CCR 1029). Unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to the above paragraph of this section and to inform incarcerated persons of the practitioner's duty to report, and the limitations of confidentiality at the initiation of service. Threats or allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation, regardless of the source, shall be documented and referred for investigation. Only the facilities' designated sexual abuse investigators may investigate any allegations of sexual abuse, sexual harassment, or sexual misconduct. Reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61). If the alleged victim is under the age of 18 or considered a vulnerable adult under State or local vulnerable person's statute, the Nevada County Corrections Division shall report the allegation to the designated State or local agency under applicable mandatory reporting laws. When the facility learns that an incarcerated person is subject to a substantial risk of imminent sexual abuse immediate action shall be taken to protect the incarcerated person. Interview with Random Sample of 12 Staff indicates that Interview with Random Sample of Staff indicates that agency requires all staff to report any knowledge,</p>

suspicion, information regarding incident of sexual abuse and sexual harassment that occurred in a facility; retaliation against inmates or staff who reported such an incident and any staff neglect or violation of responsibilities that may have contributed to the incident or retaliation. The agency'/facility policy or procedure for reporting any information related to an inmate sexual abuse is respond to administration Lieutenant or shift sergeant.

**TESTING STAFF REPORTING:**

During the onsite audit, the auditor interviewed the PREA Coordinator who indicated that staff are not mandated to report sexual abuse and sexual harassment or retaliation to their immediate supervisor. Staff has the option to report to the Facility Commander, Human Resources, PREA Compliance Manager, Medical or Mental health staff if they need to privately report said misconduct.

115.61(b): Policy 606 PREA Pg9 Section 606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT mandates that threats or allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation, regardless of the source, shall be documented and referred for investigation. Only the facilities' designated sexual abuse investigators may investigate any allegations of sexual abuse, sexual harassment, or sexual misconduct. Reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61).

Interview with Random Sample of Staff indicates that agency requires all staff to report any knowledge, suspicion, information regarding incident of sexual abuse and sexual harassment that occurred in a facility; retaliation against inmates or staff who reported such an incident and any staff neglect or violation of responsibilities that may have contributed to the incident or retaliation. The agency'/facility policy or procedure for reporting any information related to an inmate sexual abuse is respond to administration Lieutenant or shift sergeant.

115.61(c): Policy 606 PREA Pg9 Section 606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT mandates that unless otherwise precluded by Federal, State, or local law, medical and mental health practitioners shall be required to report sexual abuse pursuant to the above paragraph of this section and to inform incarcerated persons of the practitioner's duty to report, and the limitations of confidentiality at the initiation of service.

Interview with Medical and Mental Health Staff indicates that medical and mental health staff are required to report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual-harassment to designated supervisor or official immediately upon request. At the initiation of services medical and mental health staff also provide services to inmates and disclose the limitation of confidentiality and duty to report.

115.61(d): Policy 606 PREA Pg9 Section 606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT mandates that If the alleged victim is under the age of 18 or considered a vulnerable adult under State or local vulnerable person's statute, the Nevada County Corrections Division shall report the allegation to the designated State or local agency under applicable mandatory reporting laws.

Interview with the Facility Commander or Designee indicates that when an allegation of sexual abuse or sexual harassment is made by someone considered a vulnerable adult, the agency provides notification to Adult Protective Services. Agency does not house inmates under the age of 18.

Interview with the PREA Coordinator indicates that no one under the age of 18 years, is house in this facility. If allegation is made by a vulnerable person, we treat it the same as other investigations. Bring in an advocate for for them to help through the investigative process. We also alert adult protective services.

115.61(e): Policy 606 PREA Pg9 Section 606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT mandates that any employee or agency representative who becomes aware of an incident of sexual abuse, sexual harassment, or sexual misconduct, retaliation against incarcerated persons or staff, or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation shall immediately notify a supervisor (28 CFR 115.61). Staff may also privately report sexual abuse, sexual harassment, and sexual misconduct of incarcerated persons to Human Resources (28 CFR 115.51; 15 CCR 1029).

Threats or allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation, regardless of the source, shall be documented and referred for investigation. Only the facilities' designated sexual abuse investigators may investigate any allegations of sexual abuse, sexual harassment, or sexual misconduct. Reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61). Policy 606.10.2 INCARCERATED PERSON/THIRD PARTY REPORTING mandates that incarcerated persons may report incidents anonymously or any allegations of sexual abuse, sexual harassment, or sexual misconduct, or retaliation by other incarcerated persons or staff for reporting sexual abuse, sexual harassment, or sexual misconduct and staff neglect or violation of responsibilities that may have contributed to such incidents to any staff member they choose. Staff shall accommodate all incarcerated person requests to report allegations. Staff shall accept reports made verbally, in writing, anonymously, or from third parties and shall promptly document all verbal reports.

Interview with the Facility Commander or Designee indicates that all allegations of sexual abuse or sexual harassment, including those from third-party and online sources are reporting directly to the designated facility investigators

**CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.61.

<b>115.62</b>	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

	<p>115.62(a): Policy 606.10 REPORTING SEXUAL ABUSE, SEXUAL HARASSMENT, AND SEXUAL MISCONDUCT mandates that when the facility learns that an incarcerated person is subject to a substantial risk of imminent sexual abuse immediate action shall be taken to protect the incarcerated person.</p> <p>Interview with the Agency Head or designee indicates that if you learn that an IP is subject to substantial risk of eminent, sexual abuse, the protection action the agency takes is rehousing the perpetrator and investigate if needed. The focus is to make people safe.</p> <p>Interview with the Facility Commander or Designee indicates that when you learn that an IP is subject to substantial risk of imminent sexual abuse, the protection action taken is alert classification, separate the victim and abuser, and re-house.</p> <p>Interview with Random Sample of Staff indicates that if you learn an IP is at risk of sexual abuse, the actions you take to protect the IP is separate, the victim and the perpetrator, classification is notified for rehousing and notify the supervisor. Actions are taken immediately upon notification of imminent sexual abuse.</p> <p><b>CONCLUSION:</b></p> <p>Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.62(a).</p>
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<b>115.63</b>	<b>Reporting to other confinement facilities</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>115.63(a): Policy 606 PREA Pg 10 Section 606.10.3 REPORTING TO OTHER FACILITIES indicates that 606.10.3 REPORTING TO OTHER FACILITIES if there is an allegation that an incarcerated person was sexually abused while the person was confined at another facility, the Jail Commander shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Commander shall ensure that the notification has been documented (28 CFR 115.63). If the Jail Commander or this agency receives notification from another facility or agency that there is an allegation that an incarcerated person was sexually abused while he/she was confined in this agency, the allegations shall be investigated in accordance with the PREA standards.</p> <p>Agency reports that in the past 12 months, no allegations received by the facility that an inmate was abused while confined at another facility.</p> <p>115.63(b): Policy 606 PREA Pg 10 Section 606.10.3 REPORTING TO OTHER FACILITIES indicates that 606.10.3 REPORTING TO OTHER FACILITIES if there is an allegation that an incarcerated person was sexually abused while the person was confined at another facility, the Jail Commander shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Commander shall ensure that the notification has been documented (28 CFR 115.63).</p>

	<p>115.63(c): Policy 606 PREA Pg 10 Section 606.10.3 REPORTING TO OTHER FACILITIES indicates that if there is an allegation that an incarcerated person was sexually abused while the person was confined at another facility, the Jail Commander shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Commander shall ensure that the notification has been documented (28 CFR 115.63). There have been zero allegations that an IP was abused while confined in another agency.</p> <p>115.63(d): Policy 606 PREA Pg 10 Section 606.10.3 REPORTING TO OTHER FACILITIES indicates that 606.10.3 REPORTING TO OTHER FACILITIES mandates that If the Jail Commander or this agency receives notification from another facility or agency that there is an allegation that an incarcerated person was sexually abused while he/she was confined in this agency, the allegations shall be investigated in accordance with the PREA standards. Agency reports that Zero allegations of sexual abuse have been received from other facilities. Interview with the Agency Head or designee indicates that he could not respond to this question as there has been no expansions or modifications to the Wayne Brown Facility.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.63.</p>
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<b>115.64 Staff first responder duties</b>	
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.64(a): Policy 606 PREA Pg 13 Section 606.12 First Responders mandates that if an allegation of incarcerated person sexual abuse is made, the first correctional officer to respond shall (28 CFR 115.64):</p> <ul style="list-style-type: none"> <li>(a). Contact the Sergeant or Officer in Charge.</li> <li>(b). Separate the alleged victim and abuser, and ensure that there is no physical, verbal, or visual contact between the victim and suspect, whenever possible.</li> <li>(c) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).</li> <li>(d) Establish a crime scene to preserve and protect any evidence until steps can be taken to collect any evidence.</li> <li>(e) If the time period allows for the collection of physical evidence, request that the</li> </ul>

alleged victim, and ensure that the alleged abuser, do not take any actions that could destroy physical evidence (e.g., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, eating).

(f) If the alleged sexual assault is reported or discovered more than 72 hours after the incident, secure the alleged crime scene (if feasible) and place 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 (e.g., soiled bedding, clothing, etc.).

(g) Attempt to obtain the identity of the suspect and any possible witnesses, but do not interview the victim further. Secure any witnesses.

(h) Do not attempt to interrogate the alleged suspect, unless circumstances make it unavoidable.

If the first responder is not a correctional officer, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a correctional officer.

Should an investigation involve incarcerated persons who have disabilities or who have limited English proficiency, the first responder shall not rely on incarcerated person interpreters, incarcerated person readers, or other types of incarcerated person assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise incarcerated person safety, the performance of first responder duties or the investigation of sexual abuse, sexual harassment, or sexual misconduct allegations (28 CFR 115.16).

Employees shall maintain professional behavior when interacting with an alleged victim of sexual abuse, and display sensitivity to the potential emotional impact of the situation. All employees are reminded that this is a very serious situation.

Incident-specific information shall be treated as confidential, and disclosure made only to staff that have a "need to know" and to persons and entities as permitted by law.

Staff shall not discriminate in their response to incarcerated persons who are gay, bisexual, or transgender who report that they have experienced sexual abuse.

Agency reports that In the past 12 months, one allegation was received by the facility that an inmate was sexually abused.

Agency reports that in the past 12 months the number of times the no first security staff member to respond to the report separated the alleged victim and abuser, In the past 12 months, no staff were notified within a time period that still allowed for the collection of physical evidence. Of these allegations in the past 12 months no staff were notified within a time period that still allowed for the collection of physical evidence, the no first security staff member to respond to the report preserved and protected any crime scene until appropriate steps could be taken to collect any evidence. Of these allegations in the past 12 months no staff were notified within a time period that still allowed for the collection of physical evidence, the no first security staff member to respond to the report requested 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. Of these allegations in the past 12 months no staff were notified within a

time period that still allowed for the collection of physical evidence, no first security staff member to respond to the report to ensure that the alleged abuser not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating: Interview with Security Staff and Non-Security Staff First Responders indicates that a description of the actions taken as a first responder to an allegation of sexual abuse:

- a. Separating the alleged victim and abuser
- b. Preserving and protecting any crime scene until appropriate steps can be taken to collect any evidence
- c. Requesting that the alleged victim not take any actions that could destroy physical evidence such as washing, brushing, changing clothes, urinating, defecating, smoking, drinking, or eating. If the abuse occurs within a time period that still allows for the collection of physical evidence;
- d. Ensuring that the alleged abuser does not take any of the above actions that could destroy physical evidence, if the abuse occurred within a time period that still allows for the collection of physical evidence; and
- e. Immediately notifying medical and mental health practitioners.
- f. Notify Shift Sergeant
- g. Document

Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit. No sexual abuse interviews were available or conducted by auditor

115.64(b): 606 PREA Pg 13 Section 606.12 Agency policy requires that if the first staff responder is not a security staff member, that responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence. Agency reports that there have been zero allegations where the first responder was a non-security staff member.

Interview with Security Staff and Non-Security Staff First Responders indicates that a description of the actions taken as a first responder to an allegation of sexual abuse:

- a. Separating the alleged victim and abuser
- b. Preserving and protecting any crime scene until appropriate steps can be taken to collect any evidence
- c. Requesting that the alleged victim not take any actions that could destroy physical evidence such as washing, brushing, changing clothes, urinating, defecating, smoking, drinking, or eating. If the abuse occurs within a time period that still allows for the collection of physical evidence;
- d. Ensuring that the alleged abuser does not take any of the above actions that could destroy physical evidence, if the abuse occurred within a time period that still allows for the collection of physical evidence; and
- e. Immediately notifying medical and mental health practitioners.
- f. Notify Shift Sergeant
- g. Document

Interview with Random Sample of Staff indicates that if they were the 1st person to be alerted that an IP has allegedly been the victim of sexual abuse, staff's

	<p>responsibility is to:</p> <ul style="list-style-type: none"> <li>a. Separate victim and abuser and inform both victim and abuser they must not have access to water or change clothing in order to preserve physical evidence</li> <li>b. Preserve the crime scene</li> <li>c. Notify the Supervisor</li> <li>d. Notify nursing staff</li> <li>e. Contact Supervisor</li> </ul> <p>If the alerted staff member was not custody staff:</p> <ul style="list-style-type: none"> <li>a. Separate victim and abuser</li> <li>b. Notify custody staff or immediate supervisor</li> <li>c. Inform both victim and abuser they must not have access to water or change clothing in order to preserve physical evidence</li> </ul> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.64.</p>
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<b>115.65</b>	<b>Coordinated response</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.65(a): Policy 606.12.1 COORDINATED RESPONSE FOR WBCF mandates that The Sergeant or OIC shall (28 CFR 115.65):</p> <ul style="list-style-type: none"> <li>(a) Notify dispatch (911) and request a Nevada County Sheriff's Officer to respond.</li> <li>(b) Ensure that Medical Staff has been notified.</li> </ul> <ol style="list-style-type: none"> <li>1. Incarcerated persons who are victims of sexual abuse shall 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 (28 CFR 115.82).</li> <li>2. If any life-threatening injuries exist, the response may include the need to request emergency transportation (i.e., ambulance). When the call is made to request an ambulance, it is critical to inform the fire/rescue dispatcher that the injured incarcerated person is a victim of sexual assault. The incarcerated person will be transported to Sierra Nevada Memorial Hospital.</li> <li>3. Medical staff shall be cognizant to maintain intact any physical evidence which may be found on the victim's person or clothing.</li> </ol> <ul style="list-style-type: none"> <li>(c) If transported to the hospital for emergency medical treatment or crisis intervention services, the alleged victim shall be assigned a custody escort who shall remain with the victim for the entire process, whenever possible. Gender preference should be considered when assigning a custody escort to the victim. The custody</li> </ul>

escort will ensure effective communication (i.e., complexity of the issues, language barriers, and literacy). The escort shall not be present in the examination room during the sexual assault examination unless requested by the victim or hospital staff or ordered by the Jail Commander.

(d) Consider whether a change in classification or housing assignment for the victim is needed or whether witnesses to the incident need protection, both of which may include reassignment of housing.

(e) Determine whether the alleged perpetrator should be administratively segregated or administratively transferred during the investigation.

All allegations of sexual abuse, including third-party and anonymous reports, shall be reported to the Jail Commander or his designee.

(a) If the victim alleges he/she was involved with or assaulted by staff, the Jail Commander shall also notify the Internal Affairs Unit.

Interview with the Facility Commander or designee indicates that allegations of sexual abuse, or sexual harassment, the measures the agency takes to protect inmates and staff from retaliation are:

- a. keep away from perpetrator.
- b. Be keep every inmate, separated, and
- c. monitor them both.

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.65(a) and corrective action is required.

**Corrective Action Recommended:**

115.65(a): Policy 606.12.1 COORDINATED RESPONSE FOR WBCF fails to include actions taken in response to an incident of sexual abuse among:

- Staff first responders
- Mental Health practitioners
- Investigators

1. Agency is mandated to update and identify the Coordinated actions taken in response to an incident of sexual abuse, among staff first responders, mental health practitioners and investigators as mandated by Standard provision 115.65(a).

2. Agency to provide auditor with updated Coordinated response via the Supplemental File.

**Corrective Action Completed:**

115.65(a): 4/15/25 - Agency provided auditor with Policy 606 PREA Coordinated Response Plan for WBCF. The Coordinated Response Plan included actions taken in response to an incident of sexual abuse among Staff First Responders, Medical and Mental Health practitioners, Investigators and Facility Leadership.

	<p>Agency also informed auditor via Agency response for Issue Log 115.65(a):  A revised “Coordinated Response Plan” for the Wayne Brown Correctional Facility has been uploaded in the PAS supplemental file. The response plan is part of our Lexipol Procedural Manual. All staff are notified of its release. They must acknowledge that they have read and understood the release procedure. When new staff are hired, they also must acknowledge the procedure as well as all the other agency policies and procedures. Sergeants and Administration monitor records to make sure that all staff are up to date on their acknowledgements.</p> <p>The agency/facility has met the requirements of Standard provision(s) 115.65(a) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.65.</p>
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<b>115.66</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>115.66(a): Policy 606.4 PRESERVATION OF ABILITY TO PROTECT INCARCERATED PERSONS mandates that the Office shall not enter into or renew any collective bargaining agreement or other agreement that limits the office's ability to remove alleged staff sexual abusers from contact with any incarcerated persons pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).  Nothing in standard 28 CFR 115.66 shall restrict the entering into or renewal of agreements that govern:</p> <p>(a) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of 28 CFR 115.72 and 28 CFR 115.76.  (b) Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.</p> <p>Interview with the Agency Head or designee indicates that the Agency renewed collective bargaining agreements since August 2022 permits agencies to remove alleged staff sexual abuse from contact with any IP pending investigation per sideletter.</p> <p>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</p>

outcome of an investigation or of a determination of whether and to what extent discipline is warranted?

1. Agency to highlight statements in the bargaining units and side letter which includes the above statement as mandated by Standard provision 115.66(a).

115.66(b): Auditor not required to audit this provision.

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.66(a) and corrective action is required.

**Corrective Action Recommended:**

115.66(a): 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?

1. Agency to highlight statements in the bargaining units and side letter which includes the above statement as mandated by Standard provision 115.66(a).

**Corrective Action Completion 3/28/25:**

115.66(a):

3/28/25 - Agency identified Policy 606.4 pg 3 PRESERVATION OF ABILITY TO PROTECT INCARCERATED PERSONS which provides that "The Office shall not enter into or renew any collective bargaining agreement or other agreement that limits the office's ability to remove alleged staff sexual abusers from contact with any

incarcerated persons pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).

Nothing in standard 28 CFR 115.66 shall restrict the entering into or renewal of agreements that govern:

(a) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of 28 CFR 115.72 and 28 CFR 115.76.

(b) Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated.

	<p>The agency/facility has met the requirements of Standard provision(s) 115.66(a) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.66.</p>
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<b>115.67</b>	<b>Agency protection against retaliation</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p> <p>115.67(a): Policy 606.11 Retaliation mandates that the facility employs multiple protection measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment, or reassignment of the victim or alleged perpetrator to another housing area, and support services for incarcerated persons or staff who fear retaliation for reporting sexual abuse, sexual misconduct, or sexual harassment or for cooperating with investigations (28 CFR 115.67; 15 CCR 1029).</p> <p>Retaliation monitoring of incarcerated persons:</p> <p>(a) Within 48 hours after notification from the PREA Coordinator, the Classification Sergeant shall assign a Classification Officer to monitor and document, once every 30 days for an initial period of at least 90 days, the conduct and treatment of incarcerated persons who reported, witnessed, or cooperated with investigations of sexual abuse and of incarcerated persons who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by incarcerated persons or a staff member, volunteer, or contractor.</p> <p>(b) Incarcerated person monitoring shall also include documented face-to-face contact and periodic status checks no less than 1 time every 30 days.</p> <p>(c) When monitoring retaliation, the assigned Classification Officer should consider incarcerated person disciplinary reports and housing or program changes.</p> <p>(d) If it is detected that an incarcerated person or incarcerated persons are retaliating, the Classification Officer shall act promptly to remedy any such retaliation.</p> <p>If the Classification Officer detects that a staff member, volunteer, or contractor is retaliating against incarcerated persons for reporting sexual abuse, sexual misconduct, or sexual harassment or who were reported to have suffered sexual abuse, the Classification Officer shall notify the PREA Coordinator and/or the Classification Sergeant as soon as possible, but no longer than 48 hours. The PREA Coordinator or Classification Sergeant shall then immediately notify the Jail</p>

Commander or their designee and act promptly to remedy any such retaliation. Staff may be subject to disciplinary sanctions up to and including termination if retaliation is detected and confirmed.

Retaliation monitoring of staff:

(a). If a staff member reports, witnesses, or cooperates with investigations of allegations of sexual abuse, sexual misconduct or sexual harassment, the Jail Commander or the authorized designee shall assign a supervisor to monitor, contact and document, once every 30 days for an initial period of at least 90 days, the conduct and treatment of staff to determine if there is any possible retaliation.

(b). The assigned supervisor should consider negative staff performance reviews or reassignment of staff members.

(c). The assigned supervisor shall notify the PREA Coordinator if retaliation is detected as soon as possible, but no longer than 48 hours. The PREA Coordinator shall then immediately notify the Jail Commander or their designee and act promptly to remedy any such retaliation.

Staff may be subject to disciplinary sanctions up to and including termination if retaliation is detected and confirmed.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take appropriate measures to protect that individual against retaliation (28 CFR 115.67).

If there are any concerns or reported issues, monitoring of incarcerated persons or staff can be extended up to a period of 120 days; or until the monitored individual no longer experiences retaliation and/or the follow-up investigation is determined unfounded. Monitoring may continue

beyond 120 days if the initial monitoring indicates a continuing need.

The number of people with access to the names of individuals being monitored should be limited to those persons that have a "need to know" and to persons and entities as permitted by law. The Jail Commander or their designee shall ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

The retaliation monitoring log shall be part of the PREA investigation file and shall be retained in accordance with confidentiality laws.

The obligation to monitor for retaliation shall terminate if it is determined that the allegation is unfounded.

Agency has designated Captain Mike Wash Division Commander Nevada County Sheriff's Office (NCSO) as retaliation monitor.

Interview with Agency Head or Designee indicates that protection of IPs or staff from retaliation for sexual abuse or sexual harassment allegations includes placing IP victims in a safe place, place staff from retaliation on administrative leave and monitor safety plans.

Interview with Warden or Designee Indicates that measures taken to protect IPs and staff from retaliation includes keep-aways from perpetrator, separate victim and perpetrator and conduct retaliation monitoring.

Interview with Designated Staff Member Charged with Monitoring Retaliation (or

Warden if none available) indicates that monitor victim face to face once every 30 days, this action continues for 90-days, review housing disciplinary and programs, look for any behavioral issues. notify PREA Coordinator within 48 hours if retaliation is continuing.

In order to protect IPs and staff from retaliation we keep victim and perpetrator separated, monitor staff and IPs to dissuade retaliation, review housing and program changes, reassign IPs to keep them separated and dissuade perpetrators from retaliation.

Interview with Inmates in Segregated Housing (for risk of sexual victimization/who allege to have suffered sexual abuse) indicates that when IPs are placed in segregated housing for protection from sexual abuse or after having alleged sexual abuse, they continue to have access to Programs, Privileges, Education and Work opportunities if available.

Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.67(b): Policy 606.11 Retaliation mandates that The facility employs multiple protection measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment, or reassignment of the victim or alleged perpetrator to another housing area, and support services for incarcerated persons or staff who fear retaliation for reporting sexual abuse, sexual misconduct, or sexual harassment or for cooperating with investigations (28 CFR 115.67; 15 CCR 1029).

Interview with the Agency Head or designee indicates that protection of IPs or staff from retaliation for sexual abuse or sexual harassment allegations includes placing IP victims in a safe place, place staff from retaliation on administrative leave and monitor safety plans.

Interview with the Facility Commander or Designee indicates that - Q: 19

Interview with the Designated Staff Member Charged with Monitoring Retaliation (or Warden if none available) indicates that - Q: 1, 2, 3

Interview with Inmates in Segregated Housing (for risk of sexual victimization/who allege to have suffered sexual abuse) indicates that - Q: 1

Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

The investigation file has been uploaded to the Supplemental file for sexual abuse case 2023-0517JS.pdf which identifies protective action taken for the IP.

115.67(c): Policy 606 pg 11 Section 606.11 Retaliation mandates that Retaliation monitoring of incarcerated persons:

Retaliation monitoring of incarcerated persons:

(a). Within 48 hours after notification from the PREA Coordinator, the Classification Sergeant shall assign a Classification Officer to monitor and document, once every 30 days for an initial period of at least 90 days, the conduct and treatment of incarcerated persons who reported, witnessed, or cooperated with investigations of sexual abuse and of incarcerated persons who were reported to have suffered sexual

abuse to see if there are changes that may suggest possible retaliation by incarcerated persons or a staff member, volunteer, or contractor.

(b) Incarcerated person monitoring shall also include documented face-to-face contact and periodic status checks no less than 1 time every 30 days.

(c) When monitoring retaliation, the assigned Classification Officer should consider incarcerated person disciplinary reports and housing or program changes.

(d) If it is detected that an incarcerated person or incarcerated persons are retaliating, the Classification Officer shall act promptly to remedy any such retaliation.

If the Classification Officer detects that a staff member, volunteer, or contractor is retaliating against incarcerated persons for reporting sexual abuse, sexual misconduct, or sexual harassment or who were reported to have suffered sexual abuse, the Classification Officer shall notify the PREA Coordinator and/or the Classification Sergeant as soon as possible, but no longer than 48 hours. The PREA Coordinator or Classification Sergeant shall then immediately notify the Jail Commander or their designee and act promptly to remedy any such retaliation.

Staff may be subject to disciplinary sanctions up to and including termination if retaliation is detected and confirmed.

Retaliation monitoring of staff:

- (a). If a staff member reports, witnesses, or cooperates with investigations of allegations of sexual abuse, sexual misconduct or sexual harassment, the Jail Commander or the authorized designee shall assign a supervisor to monitor, contact and document, once every 30 days for an initial period of at least 90 days, the conduct and treatment of staff to determine if there is any possible retaliation.
- (b) The assigned supervisor should consider negative staff performance reviews or reassignment of staff members.
- (c) The assigned supervisor shall notify the PREA Coordinator if retaliation is detected as soon as possible, but no longer than 48 hours. The PREA Coordinator shall then immediately notify the Jail Commander or their designee and act promptly to remedy.

Staff may be subject to disciplinary sanctions up to and including termination if retaliation is detected and confirmed. If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take appropriate measures to protect that individual against retaliation (28 CFR 115.67).

If there are any concerns or reported issues, monitoring of incarcerated persons or staff can be extended up to a period of 120 days; or until the monitored individual no longer experiences retaliation and/or the follow-up investigation is determined unfounded. Monitoring may continue beyond 120 days if the initial monitoring indicates a continuing need.

The number of people with access to the names of individuals being monitored should be limited to those persons that have a "need to know" and to persons and entities as permitted by law. The Jail Commander or their designee shall ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

The retaliation monitoring log shall be part of the PREA investigation file and shall be

retained in accordance with confidentiality laws. The obligation to monitor for retaliation shall terminate if it is determined that the allegation is unfounded. Interview with the Facility Commander or Designee indicates measures taken to monitor retaliation is documented

Interview with Designated Staff Member Charged with Monitoring Retaliation (or Warden if none available) indicates that what you look for in monitoring retaliation includes write-ups, change in programs, complaints and disciplinary reports.

115.67(d): Policy 606 pg 11 Section 606.11(b) Retaliation monitoring of incarcerated persons mandates that:

(b). Incarcerated person monitoring shall also include documented face-to-face contact and periodic status checks no less than 1 time every 30 days.

Interview with Designated Staff Member Charged with Monitoring Retaliation (or Warden if none available) indicates that what you look for in monitoring retaliation includes write-ups, change in programs, complaints and disciplinary reports.

115.67(e): The facility employs multiple protection measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment, or reassignment of the victim or alleged perpetrator to another housing area, and support services for incarcerated persons or staff who fear retaliation for reporting sexual abuse, sexual misconduct, or sexual harassment or for cooperating with investigations (28 CFR 115.67; 15 CCR 1029).

Interview with the Agency Head or designee indicates that safety plans Initiate monitoring for 90 days and initiate an investigation.

Interview with the Facility Commander or Designee indicates that for allegations of sexual abuse or sexual harassment the different measures you take to protect IPs and staff from retaliation is:

- Keep-aways from perpetrator
- Monitor victim for 90-days
- Maintain face-to-face visits

115.67(f): Auditor is not required to audit this provision.

**CONCLUSION:**  
Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.67.

<b>115.68</b>	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	115.68(a): Policy 606.17 Protective Custody mandates that 606.17 PROTECTIVE CUSTODY. mandates that:

Incarcerated person at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of available alternatives has been made and it has been determined that there are no available alternative means of separation. Incarcerated persons may be held in involuntary protective custody for less than 24 hours while an assessment is completed.

If an involuntary protective custody assignment is made because of a high risk for victimization, the following shall be clearly documented in the incarcerated person's Classification screen in the Jail Management System:

- (a) The basis for concern for the incarcerated person's safety; and
- (b) The reasons why no alternative means of separation can be arranged (28 CFR 115.43)..

The facility shall assign these persons to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged, not ordinarily in excess of 30 days.

Incarcerated person placed in temporary protective custody shall continue to have reasonable

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

restrictions are put in place, the following shall be documented in a Jail Incident Report and in the

incarcerated person's Classification screen in the Jail Management System:

- (a). The opportunities that have been limited
- (b). The duration of the limitation; and
- (c). The reasons for such limitations.

Every 30 days, Classification shall afford each such incarcerated person a review to determine whether there is a continuing need for protective custody (28 CFR 115.43). Policy 508.11 PREA Considerations mandate that:

Housing, bed, work, and program assignments should be made to separate incarcerated persons at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Incarcerated persons identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other incarcerated persons and staff. All incarcerated persons identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, incarcerated persons at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there is no available alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68). Housing and program assignments of a transgender or an intersex incarcerated person shall include individualized consideration for the incarcerated person's health and safety and any related supervisory, management, or facility security concerns (15 CCR 1050). A transgender or an intersex incarcerated person's views with respect to their own safety shall be given serious consideration.

Lesbian, gay, bisexual, transgender, or intersex incarcerated persons shall not be placed in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement, or

	<p>legal judgment (28 CFR 115.42).</p> <p>Interview with the Facility Commander or Designee indicates that agency does not prohibit placing 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 there are no available alternative means of separation from potential abusers. IPs will be placed in self housing if needed, the Wayne Brown facility does not have involuntary housing.</p> <p>Interview with Staff who Supervise Inmates in Segregated Housing indicates that agency places inmates in segregated housing for protection from sexual abuse or having alleged sexual abuse and provide access to Privileges, Education and Work opportunities if available. If facility restricts access to these privileges, the facility documents said restrictions and provides to classification in JMS the opportunities that have been limited, the duration of the limitations and the reasons for such limitations. IPs may be placed in involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged which normally occurs no longer than 24 hours pending safety discussion by classification. Once an IP is assigned to involuntary segregated housing, the facility reviews IP circumstances every 30 days to determine if continued placement in involuntary segregated housing is needed.</p> <p>Agency reports there was no IPs housed in segregated housing (for risk of sexual victimization/who allege to have suffered sexual abuse)</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.68.</p>
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<b>115.71</b>	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.71(a): Agency reports that when the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall do so promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports as outlined in Policy 112 Personnel Complaints pg 1 Section 112.1:</p> <p>Personnel Complaints</p> <p>This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Nevada County Sheriff's Office. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.</p> <p>The Nevada County Sheriff's Office takes seriously all complaints regarding the</p>

service provided by the Office and the conduct of its members. The Office will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local laws, municipal and county rules, and the requirements of any collective bargaining agreements. It is also the policy of this office to ensure that the community can report misconduct without concern for reprisal or retaliation.

Policy 112.2 and Policy 606 PREA pg 17 Section 606.15 SEXUAL ABUSE , SEXUAL HARASSMENT, SEXUAL MISCONDUCT INVESTIGATIONS

An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse, sexual harassment, and sexual misconduct (28 CFR 115.22). Allegations of sexual abuse, sexual harassment, and sexual misconduct are referred for investigation to the Nevada County Sheriff's Office unless the allegation does not involve potentially criminal behavior. All referrals shall be documented. All investigation shall be conducted promptly, thoroughly, and objectively for all allegations, including third-party and anonymous reports. Evidence collection shall be based on a uniform evidence protocol that is adapted from or otherwise based on the most recent edition of the DOJ'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 (28 CFR 115.21).

Incarcerated persons alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim is considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

Interview with Investigative Staff indicates that initiation of an investigation begins as soon as possible or when the call comes in. No later than 1/2 from the point of receiving the information. First steps in initiating an investigation is:

- Identifying who is involved and who witnessed the crime
- Conducting interviews
- View cameras

Investigative process involves:

- Interviews
- Evidence Collection
- Crime Scene review
- SART exam
- Physical Evidence Collection
- Anonymous or third-party reports of sexual abuse or sexual harassment are investigated the same as any other investigation.

115.71(b): Agency reports that where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations pursuant to § 115.34.

Interview with Investigative Staff indicates that investigators receive training specific

to conducting sexual abuse investigations in confinement setting through the National Institute of Corrections course specific to investigation of sexual assault in a confinement setting, Lybarger and Miranda, Interviewing and Evidence collection.

115.71(c): Agency reports that investigators shall gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator.

Interview with Investigative Staff indicate that the first steps in the initiating an investigation is identifying who is involved, and who witnessed the crime.

Investigators then conduct interviews, viewing cameras throughout the facility. The investigation process includes conducting interviews, evidence, collection, crime, scene footage, sort exam, physical evidence collection. Anonymous or third-party reports of sexual abuse or sexual harassment are investigated the same in all cases. Circumstantial evidence includes physical evidence, DNA collection, clothing and bedding, kites being passed, phone logs, phone calls mentioning the assault.

115.71(d): Agency reports that when the quality of evidence appears to support criminal prosecution, the agency shall conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

Interview with Investigative Staff indicates that when evidence of a prosecutable crime may have taken place, investigators seek guidance from the DA's office for suggestions as to how to proceed before conducting compelled interviews.

115.71(e): Agency reports that the credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. No agency shall require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.

Interview with Investigative Staff indicates that credibility of an alleged victim, suspect or witness is judged based upon the investigation findings of physical evidence, accusations, etc. inmates are not required to submit to a polygraph examination or truth-telling device as a condition for proceedings with an investigation.

Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.71(f): Internal affairs staff indicates that in their police protocol, they make all efforts to determine staff actions or failures to act contributed to the sexual abuse.

The staff also relies on reasonable access and video system during the day of the incident and time the incident occurred. Internal Affairs staff include all information from the criminal reports, victim and officer statements to include perpetrator statements, date, time, and parties involved, tape recorded statements for written reports.

**RECORD STORAGE:**

Interview with Nevada County Sheriff IT Information Systems indicates that the Sheriff's Department utilizes the Jail Management System (JMS) for the Booking and Intake database. Jail Management System (JMS) runs on a special server in the data center (2 separate servers & 1 database server. Sharepoint uses a Microsoft Government Cloud which meets DOJ & CJIS Standards. CLETS Gateway is also utilized in Booking and Release. CLETS looks for outside warrants and is utilized for Live-Scan purposes (DOJ & FBI clearances). JMS, CLETS & SHAREPOINT are secure databases for the Nevada County Sheriff's Department.

115.71(g) Agency reports that criminal investigations shall be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

Interview with Investigative Staff indicates that All information and collected evidence to include interviews, DNA returns, analysis of evidence, etc is documented.

Interview with Investigative staff indicates that Internal Affairs staff indicates that criminal investigations are documented. Contents of the reports are:

- All data and collected evidence
- Interviews
- Data Returns
- Analysis of evidence, etc.

115.71(h): Agency indicates that 1 substantiated allegation of conduct that appear to be criminal that were referred for prosecution since August 20, 2012, or since the last PREA audit, whichever is later.

Interview with Investigative Staff indicates that cases referred for prosecution are substantiated allegations of conduct that appear to be criminal. Investigators obtain all information before forwarding the case to the DA office when investigation is completed, for review.

115.71(i): The agency reports that it retains all written reports pertaining to the administrative or criminal investigation of alleged sexual abuse or sexual harassment for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

115.71(j): Agency reports that the departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

Interview with Investigative Staff indicates that when a staff member alleged to have committed sexual abuse terminates employment prior to a completed investigation into his/her conduct, the investigation continues to completion.

115.71(k): Auditor is not required to audit this provision.

115.71(l): When an outside agency investigates an incident of sexual abuse in this facility, the criminal investigation unit provides assistance as needed and provides local knowledge if needed.

Interview with the Facility Commander or Designee indicates that when an outside

	<p>agency investigates an incident of sexual abuse in this facility the PREA Coordinator or Facility Commander will get in touch with outside investigators for updates. Interview with the PREA Coordinator indicates that no outside agency is utilized. PREA Coordinator requests the progress of a sexual abuse investigation. Interview with the PREA Compliance Manager indicates that when an outside agency investigates an incident of sexual abuse in this facility the PREA Coordinator would communicate with that agency for status review report. Interview with Investigative Staff indicates that when an outside agency investigates an incident of sexual abuse in this facility, the criminal investigation unit provides assistance as needed and provides local knowledge if needed.</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.71.</p>
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115.72	Evidentiary standard for administrative investigations
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p>115.72(a): Policy 606.15.3 INVESTIGATIVE FINDINGS Investigative findings for staff: (a)All completed written investigations shall be forwarded to the Jail Commander or, if the allegations may reasonably involve the Jail Commander, to the Sheriff or their designee. (b)The Jail Commander or Sheriff or their designee shall review the investigation and determine whether any allegations of sexual abuse, sexual harassment, or sexual misconduct have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72). (c)Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution.</p> <p>Investigative findings for incarcerated persons: (a)All completed sexual abuse written investigations involving incarcerated persons shall be forwarded to the Jail Commander. The Jail Commander or Sheriff or their designee shall review the investigation and determine whether any allegations of sexual abuse have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72). (b)Substantiated allegations of conduct that appear to be criminal shall be referred for prosecution. (c)All completed sexual harassment written investigations involving incarcerated persons shall be forwarded to the Operations Lieutenant. The Operations Lieutenant</p>

shall review the investigation and determine whether any allegations of sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72)

All written reports pertaining to criminal and administrative investigations of alleged sexual assault, sexual harassment, or sexual misconduct shall be retained as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

Interview with Investigative Staff indicates that the standard of evidence required to substantiate allegations of sexual abuse or sexual harassment is probable cause.

During interviews with Investigative Staff they were asked what standard of evidence the agency imposes when determining whether allegations of sexual abuse or sexual harassment are substantiated. The criminal investigators responded that the standard of evidence required to substantiate allegations of sexual abuse or sexual harassment is probable cause. The criminal investigator's response was non-compliant with the PREA Standard of 115.72(a).

1. Agency to retrain the investigative staff with regards to the PREA mandate that requires preponderance of the evidence to substantiate allegations of sexual abuse or sexual harassment.
2. Agency to provide auditor documented verification that the investigative staff have received the retraining and understands both PREA Standard 115.72(a) and Policy 606.15.3 Investigative Findings - Investigative Findings for staff(c).

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.72(a) and corrective action is required.

**Corrective Action Recommended:**

115.72(a):

During interviews with Investigative Staff they were asked what standard of evidence the agency imposes when determining whether allegations of sexual abuse or sexual harassment are substantiated. The criminal investigators responded that the standard of evidence required to substantiate allegations of sexual abuse or sexual harassment is probable cause. The criminal investigator's response was non-compliant with the PREA Standard of 115.72(a).

1. Agency to retrain the investigative staff with regards to the PREA mandate that requires preponderance of the evidence to substantiate allegations of sexual abuse or sexual harassment.
2. Agency to provide auditor documented verification that the investigative staff have received the retraining and understands both PREA Standard 115.72(a) and Policy 606.15.3 Investigative Findings - Investigative Findings for staff(c).

**Corrective Action Completion 3/26/25 :**

115.72(a):

3/26/25 - The PREA Coordinator provided the Agency response to the Issue Log 115.72(a), In the issue log, the standard requires that all administrative investigations into allegations of sexual abuse and sexual harassment use the correct standard of proof - a preponderance of the evidence, which means the greater weight of the evidence.

Agency's response to this issue is: Retraining has occurred with our Patrol Investigation Unit. All investigators were provided with our PREA policy and the area regarding this standard was highlighted. They were also provided with the actual verbiage of 115.72 "Evidentiary Standard for Administrative Investigations" from the PREA Resource Center. All the investigators signed a form stating that they received and read the documents provided. I have included the signed forms with this memo for 7 investigators of the Patrol Investigation Unit.

The agency/facility has met the requirements of Standard provision(s) 115.72(a) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.72.

**115.73 Reporting to inmates**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

115.73(a): 606.15.4 REPORTING TO INCARCERATED PERSONS

Following an investigation into an incarcerated person's allegation that he or she suffered sexual abuse or sexual misconduct in a Nevada County Sheriff's Office facility, the Jail Commander or the authorized designee shall inform a victim incarcerated person in writing whether an allegation has been substantiated, unsubstantiated, or unfounded. If the Office did not conduct the investigation, the Office shall request relevant information from the investigative agency in order to inform the incarcerated person.

If a staff member is the accused (unless the Office has determined that the allegation is unfounded), the incarcerated person shall also be informed whenever:

(a) The staff member is no longer assigned to the incarcerated person's unit or employed at the facility.

(b) The Office learns that the staff member has been indicted or convicted on a

charge related to sexual abuse within the facility.  
If another incarcerated person is the accused, the alleged victim shall be notified whenever the Office learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.  
All notifications or attempted notifications shall be documented. When notification is made while the incarcerated person is in custody, the incarcerated person will sign a copy of the notification letter. The letter will be added to the case file. If the incarcerated person is released from custody, all facility obligations to report shall terminate (28 CFR 115.73).  
Interview with Facility Commander or Designee indicates that the facility notifies an IP who makes an allegation of sexual abuse when the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation.  
Interview with Investigative Staff indicates that the agency procedures require that an inmate who makes an allegation of sexual abuse must be informed as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation.  
Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.73(b): N/A - Agency reports that should an outside entity conduct such investigations, the agency requests the relevant information from the investigative entity in order to inform the inmate of the outcome of the investigation. Agency reports there have been no outside agencies conducting such investigations.

115.73(c): Agency reports that there have been zero substantiated or unsubstantiated complaints of sexual abuse committed by a staff member.  
Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.73(d): 606.15.4 REPORTING TO INCARCERATED PERSONS  
Following an investigation into an incarcerated person's allegation that he or she suffered sexual abuse or sexual misconduct in a Nevada County Sheriff's Office facility, the Jail Commander or the authorized designee shall inform a victim incarcerated person in writing whether an allegation has been substantiated, unsubstantiated, or unfounded. If the Office did not conduct the investigation, the Office shall request relevant information from the investigative agency in order to inform the incarcerated person.  
If a staff member is the accused (unless the Office has determined that the allegation is unfounded), the incarcerated person shall also be informed whenever:  
(a) The staff member is no longer assigned to the incarcerated person's unit or employed at the facility.  
(b) The Office learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility.  
If another incarcerated person is the accused, the alleged victim shall be notified whenever the Office learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

	<p>All notifications or attempted notifications shall be documented. When notification is made while the incarcerated person is in custody, the incarcerated person will sign a copy of the notification letter. The letter will be added to the case file. If the incarcerated person is released from custody, all facility obligations to report shall terminate (28 CFR 115.73)</p> <p>Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.</p> <p>115.73(e): Policy 606.15.4 Reporting to Incarcerated Persons mandates that All notifications or attempted notifications shall be documented. When notification is made while the incarcerated person is in custody, the incarcerated person will sign a copy of the notification letter. The letter will be added to the case file. If the incarcerated person is released from custody, all facility obligations to report shall terminate (28 CFR 115.73).</p> <p>Agency reports that In the past 12 months, 3 notifications to inmates that were provided pursuant to this standard. Of those notifications made in the past 12 months, all 3 were documented.</p> <p>115.73(f): Auditor is not required to audit this provision.</p>
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<b>115.76</b>	<b>Disciplinary sanctions for staff</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>115.76(a): Policy 606 PREA DISCIPLINARY SANCTION/CORRECTIVE ACTION 606.16 mandates Staff, Medical and Mental Health Staff, Civilian Staff, Volunteers, or Contractors shall be aware of the potential sanctions if allegations of sexual abuse, sexual harassment, or sexual misconduct are confirmed.</p> <p>606.16.1 DISCIPLINARY SANCTIONS FOR STAFF Staff shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse or sexual misconduct as defined in 289.6 PC (28 CFR 115.76(a-b)).</p> <p>Disciplinary sanctions for violations of agency policy relating to sexual abuse, sexual harassment, or sexual misconduct (other than actually engaging in 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 (28 CFR 115.76(c)).</p> <p>All terminations for violations of sexual abuse or sexual misconduct, or resignations</p>

by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies unless the activity was clearly not criminal, and to any relevant licensing bodies (28 CFR 115.76 (d)).

Personnel Code 2024 Discipline - 18.2 Causes of Discipline

(i). Harassment of County employees or member of the public in connection with County employment based on their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic sexual orientation, or military and veteran status.

(j) Abusive conduct, including malicious verbal, visual or physical actions, or the gratuitous sabotage or undermining of a persons work performance.

115.76(b): Agency reports that in the past 12 months no staff from the facility violated agency sexual abuse or sexual harassment policies. During the Onsite Audit, the PREA Coordinator indicated that the Pre-Audit Questionnaire response for Standard 115.76 was incorrect. in year 2023, a medical physical therapist made an inappropriate comment to an IP in an exam room. An investigation was initiated and victim was provided retaliation monitoring on 12/21/2023 for the initial 90-day period. The investigation determined the case to be Substantiated.

Notification of investigation was initiated, documented and provided to the victim to inform him of the findings. The event was investigated and determined to have occurred. based on a preponderance of the evidence the investigation determined the case to be Substantiated. The perpetrator was terminated and no longer employed at the facility

115.76(c)). 606.16.1 DISCIPLINARY SANCTIONS FOR STAFF

Staff shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for staff who has engaged in sexual abuse or sexual misconduct as defined in 289.6 PC (28 CFR 115.76(a-b)).

Disciplinary sanctions for violations of agency policy relating to sexual abuse, sexual harassment, or sexual misconduct (other than actually engaging in 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 (28 CFR 115.76(c)).

Agency reports that In the past 12 months, no staff from the facility who have been disciplined, short of termination, for violation of agency sexual abuse or sexual harassment policies (other than actually engaging in sexual abuse).

115.76(d): Agency reports that in the past 12 months, no staff from the facility that have been reported to law enforcement or licensing boards following their termination (or resignation prior to termination) for violating agency sexual abuse or sexual harassment policies

**CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.76.

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<b>115.77</b>	<b>Corrective action for contractors and volunteers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.77(a): Policy 606.16.2 CORRECTIVE ACTION FOR MEDICAL AND MENTAL HEALTH STAFF, CIVILIAN STAFF, VOLUNTEERS, OR CONTRACTOR mandates:            Any Medical or mental health staff, Civilian Staff, Volunteers, or Contractor who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with incarcerated person. They shall be promptly reported to the Nevada County Sheriff's Office, unless the activity was clearly not criminal, and brought to the attention of any relevant licensing bodies (28 CFR 115.77).            In the case of any other violation of this policy by Medical and Mental Health Staff, Civilian Staff, Volunteers, or Contractor, appropriate remedial measures shall be taken in addition to considering whether to prohibit further contact with incarcerated persons (28 CFR 115.77).</p> <p>115.77(b): Agency responds that the facility 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, however, there is no need for remedial measures at this time. Interview with the Facility Commander or Designee indicates that the facility always prohibits further contact with inmates and does not allow access. Agency pulls the security clearance if case is criminal in nature.</p> <p><b>CONCLUSION:</b>            Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.77.</p>

<b>115.78</b>	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.78(a): 606.16.2 CORRECTIVE ACTION FOR MEDICAL AND MENTAL HEALTH STAFF, CIVILIAN STAFF, VOLUNTEERS, OR CONTRACTOR            Any Medical or mental health staff, Civilian Staff, Volunteers, or Contractor who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with incarcerated person. They shall be promptly reported to the</p>

Nevada County Sheriff's Office, unless the activity was clearly not criminal, and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

In the case of any other violation of this policy by Medical and Mental Health Staff, Civilian Staff, Volunteers, or Contractor, appropriate remedial measures shall be taken in addition to considering whether to prohibit further contact with incarcerated persons (28 CFR 115.77).

#### 606.16.3 DISCIPLINARY SANCTIONS/ CORRECTIVE ACTION FOR INCARCERATED PERSONS

incarcerated persons who are found guilty of committing incarcerated person-on-incarcerated person sexual assault will be punished to the highest degree in accordance with the Discipline Policy, up to and including criminal prosecution. Sanctions shall be commensurate with the nature and circumstances of the abuse committed, the incarcerated person's disciplinary history, and the sanctions imposed for comparable offenses by other incarcerated persons with similar histories. An incarcerated person's mental disabilities or mental illness shall be considered when determining what type of discipline, if any, should be imposed. The facility shall consider whether to require the offending incarcerated person 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. An incarcerated person may be disciplined for sexual contact with staff only upon a finding that the staff member did not consent to such contact (28 CFR 115.78(a-d)).

If counseling and progressive discipline fail to result in a modification of the incarcerated person's behavior, an additional charge of PC 314.1 (indecent exposure) or PC 647 (disorderly conduct) should be added after the incarcerated person's third violation. Acts of indecent exposure, sexual disorderly conduct, sexually hostile conduct, and exhibitionist masturbation shall not be ignored and will not be tolerated. An incarcerated person who engages in indecent exposure, sexual disorderly conduct, sexually hostile conduct, or exhibitionist masturbation shall be reported and disciplined in an attempt to eliminate and reduce the opportunity to repeat the behavior.

Every incident shall be documented by the observing employee. If the exposure or inappropriate touching of one's genitals is considered to be unusual and bizarre behavior, medical shall be notified for a referral for a mental health evaluation. If an incarcerated person's continued behavior requires additional security precautions, such steps should be taken, which may include, but not limited to the following:

- (a) Transfer to an administrative housing unit (if the behavior occurs in a group setting or inside the cell/bed area in a general population housing unit);
- (b) Posted notification, alerting staff to the incarcerated person's propensity to engage indecent exposure or sexual disorderly conduct;
- (c) Temporary restriction from the recreation yard or other settings which may provide avenue for behavior; and
- (d) Substitution of activity setting to reduce the possibility of the behavior impacting

staff.

For the purpose of disciplinary action, a report of sexual abuse made in good faith based upon reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if the investigation does not establish evidence sufficient to substantiate the allegation (28 CFR 115.78 (f)).

Sexual activity between all incarcerated person is prohibited. incarcerated persons will be disciplined for such activity. Sexual activity between incarcerated person will not constitute sexual abuse if it is determined that the activity is not coerced (28 CFR 115.78(g)).

In the past 12 months Agency reports no administrative findings of inmate-on-inmate sexual abuse that have occurred at the facility.

In the past 12 months Agency reports no criminal findings of guilt for inmate-on-inmate sexual abuse that have occurred at the facility.

115.78(b): Policy 606.16.3 DISCIPLINARY SANCTIONS/ CORRECTIVE ACTION FOR INCARCERATED PERSONS mandates that sanctions shall be commensurate with the nature and circumstances of the abuse committed, the incarcerated person's disciplinary history, and the sanctions imposed for comparable offenses by other incarcerated persons with similar histories. An incarcerated person's mental disabilities or mental illness shall be considered when determining what type of discipline, if any, should be imposed.

Interview with the Facility Commander or Designee indicates that Title 15 disciplinary sanctions are inmates subject to following an administrative or criminal finding that the inmate engaged in inmate-on-inmate sexual abuse. Suspended Privileges such as reduced day-room time, reduced Tablet time can be imposed. Sanctions are proportionate to the nature and circumstances of the abuses committed in the inmates' disciplinary histories, and the sanctions imposed for similar offenses by other inmates with similar histories. Mental disability or mental illness is considered when determining sanctions.

115.78(c): Policy 606.16.3 DISCIPLINARY SANCTIONS/ CORRECTIVE ACTION FOR INCARCERATED PERSONS mandates that An incarcerated person's mental disabilities or mental illness shall be considered when determining what type of discipline, if any, should be imposed.

Interview with the Facility Commander or Designee indicates that Mental disability or mental illness is considered when determining sanctions.

115.78(d): The facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. If the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse, the facility considers whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.

Interview with Medical and Mental Health Staff indicates that the facility offers therapy, counseling, or other interventions designed to address and correct the underlying reasons or motivations for abuse. When those services are provided, the facility does not require an inmate's participation as a condition of access to programming or other benefits.

	<p>115.78(e): Policy 606.16.3 DISCIPLINARY SANCTIONS/ CORRECTIVE ACTION FOR INCARCERATED PERSONS mandates that an incarcerated person may be disciplined for sexual contact with staff only upon a finding that the staff member did not consent to such contact (28 CFR 115.78(a-d)).</p> <p>115.78(f): Policy 606.16.3 DISCIPLINARY SANCTIONS/ CORRECTIVE ACTION FOR INCARCERATED PERSONS mandates that for the purpose of disciplinary action, a report of sexual abuse made in good faith based upon reasonable belief that the alleged conduct occurred shall not constitute falsely reporting an incident or lying, even if the investigation does not establish evidence sufficient to substantiate the allegation (28 CFR 115.78 (f)).</p> <p>115.78(g): Policy 606.16.3 DISCIPLINARY SANCTIONS/ CORRECTIVE ACTION FOR INCARCERATED PERSONS mandates that sexual activity between all incarcerated person is prohibited. incarcerated persons will be disciplined for such activity. Sexual activity between incarcerated person will not constitute sexual abuse if it is determined that the activity is not coerced (28 CFR 115.78(g)).</p> <p><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.78.</p>
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<b>115.81</b>	<b>Medical and mental health screenings; history of sexual abuse</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>115.81(a): Wellpath Policy 6.8 Receiving Screening 6.8.2 mandates that patients identified as being at-risk for sexual victimization or abusiveness with no identified, immediate medical and/or mental health needs will be referred for medical/mental health screening within 14 days of intake.</p> <p>Interview with Inmates who Disclose Sexual Victimization at Risk Screening indicates that when he told intake that he was sexually abused, he was asked if he wanted to meet with a medical or mental health care practitioner. He agreed and met with a doctor within 48 hours.</p> <p>Interview with Staff Responsible for Risk Screening indicates that If a screening indicates that an inmate has experienced prior sexual victimization they offer the inmate a follow-up meeting with a medical and/or mental health practitioner.</p> <p>Standard 115.81(a) indicates that the Pre-Audit Questionnaire reports that all inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.41 are offered a follow-up meeting with a medical or mental health practitioner.</p>

1. The facility is required to provide the auditor with documented verification of the inmates who disclosed sexual victimization at screening to the auditor for verification of compliance with Standard provision 115.81(a).

2. At a minimum, the Facility documentation must identify the following:

1. Name of Inmate
2. Date of arrival at the facility
3. Date of intake
4. Date inmate was offered a referral to a medical or mental health practitioner
5. Date inmate was seen by said practitioner
6. Name of the practitioner who met with the inmate

115.81(b): N/A - Facility is a county jail.

115.81(a) & 115.81(c) All inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.41 are offered a follow-up meeting with a medical or mental health practitioner. The follow-up meeting was offered within 14 days of the intake screening. In the past 12 months, 100% of inmates who disclosed prior victimization during screening who were offered a follow-up meeting with a medical or mental health practitioner.

Interview with Staff Responsible for Risk Screening indicates that if a screening indicates that an inmate previously perpetrated sexual abuse, the facility will offer a meeting with a mental health practitioner soon after the initial screening.

115.81(d): Agency indicates that Information related to sexual victimization or abusiveness that occurred in an institutional setting is Verbally provided if relevant to housing/programming. when such notices occur, information is maintained in the classification file.

**RECORD STORAGE:**

Interview with Nevada County Sheriff IT Information Systems indicates that the Sheriff's Department utilizes the Jail Management System (JMS) for the Booking and Intake database. JMS runs on a special server in the data center (2 separate servers & 1 database server. Sharepoint uses a Microsoft Government Cloud which meets DOJ & CJIS Standards. CLETS Gateway is also utilized in Booking and Release. CLETS looks for outside warrants and is utilized for Live-Scan purposes (DOJ & FBI clearances). JMS, CLETS & SHAREPOINT are secure databases for the Nevada County Sheriff's Department.

115.81(e): Policy HCD-110 F-06 Response to Sexual Abuse Nevada CA (75723)\_Pg 6 Section 6.9.3.pdf mandates that In all cases, health care staff will obtain consent to release all information regarding sexual abuse, that occurred in the community, to essential personnel who will investigate, treat, and manage the patient's care. Interview with Medical and Mental Health Staff indicates that Medical practitioner obtain informed consent from inmates before reporting about prior sexual victimization that did not occur in an institutional setting. Agency reports they do not have incarcerated persons under the age of 18 years.

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.81(a) and corrective action is required.

**Corrective Action Recommended:**

115.81(a): Standard 115.81(a) indicates that the Pre-Audit Questionnaire reports that all inmates at this facility who have disclosed any prior sexual victimization during a screening pursuant to §115.41 are offered a follow-up meeting with a medical or mental health practitioner.

1. The facility is required to provide the auditor with documented verification of the inmates who disclosed sexual victimization at screening to the auditor for verification of compliance with Standard provision 115.81(a).
2. At a minimum, the Facility documentation must identify the following:
  1. Name of Inmate
  2. Date of arrival at the facility
  3. Date of intake
  4. Date inmate was offered a referral to a medical or mental health practitioner
  5. Date inmate was seen by said practitioner
  6. Name of the practitioner who met with the inmate

**Corrective Action Completion 11/12/24 :**

115.81(a): RESPONSE: 11/12/24 - Agency uploaded the PREA Audit Mental Health Data Tool. to the Supplemental File. File contained 4 IPs who requested to see a mental health practitioner at Intake after disclosing prior sexual victimization. Documentation for the 4 IPs were between August 2023 and July 2024. Each meeting for IPs was conducted within at least 4 days from Intake. Mental health Documentation meets PREA Standard 115.81(a)

The agency/facility has met the requirements of Standard provision(s) 115.81(a) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.81.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

115.82(a): Policy 606 PREA Pg 15 Section 606.14 mandates that Incarcerated persons who are victims of sexual abuse shall 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 (28 CFR 115.82).

Interview with Medical and Mental Health Staff indicate that victims of sexual abuse receive timely and unimpeded access to emergency medical treatment and crisis intervention services. The services typically occur no later than 24 hours or immediately upon notification. The nature in scope of the services, are determined according to the professional judgment of the practitioner.

Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.82(b): Policy 606 PREA 606.12 First Responders (c) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).

Interview with Security Staff and Non-Security Staff First Responders Indicates that custody First Responders to an allegation of sexual abuse are mandated to:

- (a) Contact Supervisor
- (b) Separate the alleged victim and abuser
- (c) Preserving and protecting any crime scene until appropriate steps can be taken to collect any evidence.
- (d) Requesting that the alleged victim not take any actions that could destroy physical evidence such as 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;
- (e) Ensuring that the alleged abuser does not take any of the above actions that can destroy physical evidence, if the abuse occurred within a time. It still allows for the collection of physical evidence; and
- (f) Immediately notifying medical and mental health practitioners.

If the first responder is not a correctional officer, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify custody staff.

115.82(c): Policy 606 PREA Section 606.14 Examination, Testing, and Treatment mandates that:

- (c) Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.82).
- (d) Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.

	<p>(e) Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections, and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.</p> <p>(f) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.</p> <p>(g) Victims shall be provided with 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 (28 CFR 115.83).</p> <p>Interview with Medical and Mental Health Staff indicate that victims of sexual abuse are offered timely information about access to emergency contraception and sexually transmitted infection prophylaxis.</p> <p>Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.</p> <p>115.82(d): Policy HCD-110_F-06 Response to Sexual Abuse --Nevada California mandates that Treatment services are provided free of charge to every victim of sexual abuse, 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><b>CONCLUSION:</b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.82.</p>
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<b>115.83</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p>115.83(a): WellPath Policy pg4 Section 6.8 mandates that Patients identified as being at-risk for sexual victimization or abusiveness and for whom custody staff believe there is a need for immediate medical and/or mental health assessment shall be referred for immediate medical and/or mental health assessment at the time of the intake screening.</p> <p>115.83(b): WellPath Policy Response to Sexual Abuse Nevada CA Ongoing Medical and Mental Health care for Sexual Abuse Victims and Abusers Section 6.19 Sexual Abuse Victims mandates:</p>

6.19. Sexual Abuse Victims

6.19.1. Continued evaluation and treatment of medical and mental health needs related to sexual abuse will be provided in accordance with the patient's desire for treatment and the community standard of care. Services may be provided through sick call, chronic care clinics, and regular annual health examinations.

6.19.2. After any emergency treatment is provided, health care staff will notify mental health staff of the event. An immediate telephone referral, including after hours, is the preferred referral format in case of an abuse.

- If after-hours mental health issues are handled by health care staff at the facility, the evaluating health care staff member will assess need for immediate crisis based interventions. The on call psychiatrist may be contacted for consultation if such is deemed necessary.

6.19.3. If needed, a treatment plan will be developed regarding any additional medical follow-up required.

6.19.4. Mental health staff will assess need for crisis intervention, and provide those services as necessary.

- Mental health staff will offer on-going follow-up services. If the patient refuses such services, the patient will be informed that a mental health staff member will follow-up in 14 days to determine if the patient is functioning adequately and offer any follow-up services. All encounters will be documented in the patient's health record, including any refusals of follow-up services.

6.19.5. When necessary and appropriate, post-release information and instructions will be provided for continuity of care. All discharge planning actions/instructions will be documented. One copy will be given to the patient and the other copy will be filed in the patient's health record.

Interview with Medical and Mental Health Staff indicates evaluation and treatment of inmates who have been victimized entails client centered and client driven routine counseling available modalities approach. Individual Issues addressed as to the needs of the client.

Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.83(c): WellPath Policy HCD-110\_F-06 Response to Sexual Abuse --Nevada CA Ongoing Medical and Mental Health care for Sexual Abuse Victims and Abusers 6.19 Sexual Abuse Victims Section 6.19.1 Continued evaluation and treatment of medical and mental health needs related to sexual abuse will be provided in accordance with the patient's desire for treatment and the community standard of care. Services may be provided through sick call, chronic care clinics, and regular annual health examinations.

Interview with Medical and Mental Health Staff indicates that Medical and mental health services are offered consistent with community level of care.

115.83(d): Policy 606 PREA Section 606.14 Examination, Testing, and Treatment item (f) mandates that Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-

related medical services (28 CFR 115.83). This shall be done in a timely manner. Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.83(e): Policy 606 PREA Section 606.14 Examination, Testing, and Treatment item (f) mandates that Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner. Interview with Medical and Mental Health Staff indicates that if pregnancy results from sexual abuse, one car serrated victims are given timely, information and access to all lawful pregnancy related services. Victims provided this information and access to services are available. Any time they requested or immediately upon notice. Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.53(f): WellPath Policy HCD-110 F06 Response to Sexual Abuse Nevada CA Section 6.14 mandates that "Prophylactic treatment and follow-up care for sexually transmitted or other communicable diseases (e.g., HIV, Hepatitis B) are offered to all victims, as appropriate." Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.83(g): WellPath Policy HCD-110 F06 Response to Sexual Abuse Nevada CA Information on sexual abuse is located in the inmate handbook, and patients are provided with PREA information at the time of their initial medical screening. Treatment services are provided free of charge to every victim of sexual abuse, regardless of whether the victim discloses the name of the abuser or fails to cooperate with any investigation arising out of the incident. Only 2 IPs were identified by the facility to report a sexual abuse. Auditor discovered that one IP reported sexual harassment and the 2nd IP refused to be interviewed during the Onsite Audit.

115.83(h): N/A - This facility is a Jail.

**CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.83.

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

115.86(a): Policy 606 PREA pg 22 Section 606.18 SEXUAL ABUSE INCIDENT REVIEW mandates that an incident review shall be conducted at the conclusion of every sexual abuse or sexual misconduct investigation unless the allegation has been determined to be unfounded (28 CFR 115.86). The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and/or mental health professionals, as appropriate:

- (a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse or sexual misconduct.
- (b) 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.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.
- (d) Assess the adequacy of staffing levels in the area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- (f) Prepare a written report of the team's findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Sheriff and the PREA coordinator.

The Jail Commander or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so. Agency reports that in the past 12 months, no criminal and/or administrative investigations of alleged sexual abuse completed at the facility, excluding only "unfounded" incidents.

During the Onsite PREA audit conducted 12/2/24 to 12/6/24, auditor was informed that a former IP housed in North Kern State Prison alleged non-consensual sexual abuse by another IP while housed in the Wayne Brown Detention Facility between 2013 and 2014. The facility initiated the investigation on 5/24/23. The case was referred to the DA's office on 12/11/23. The DA filed a complaint with the Nevada County Superior Court for the charges of 287(c)(2)(A)PC and 287(e)PC. The perpetrator was charged and convicted of Substantiated non-consensual Sex Acts.

115.86(b): During the Onsite PREA audit conducted 12/2/24 to 12/6/24, auditor was informed that a former IP housed in North Kern State Prison alleged non-consensual sexual abuse by another IP while housed in the Wayne Brown Detention Facility between 2013 and 2014. The facility initiated the investigation on 5/24/23. The Incident Review Board (IRB) completed their Incident Review on 10/17/24. The case was referred to the DA's office on 12/11/23. The DA filed a complaint with the Nevada County Superior Court for the charges of 287(c)(2)(A)PC and 287(e)PC. The perpetrator was charged and convicted of Substantiated non-consensual Sex Acts. The Pre-Audit Questionnaire reports that In the past 12 months, no 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 only "unfounded" incidents:

Auditor's review of case # 2023-0517JS found the investigation of the case was initiated on 5/24/23 but no information provided as to when the investigation was completed.

The IRB initiated and completed their review on 10/17/24 and case was referred to DA's office on 12/11/23. There was no information provided as to when the perpetrator was charged and convicted of Substantiated non-consensual Sex Acts.

1. Auditor requests the date that the investigation of the case was completed.
2. Please provide the reason why case was referred to the DA's office 2 months after the review of the Incident Review Board.
3. Please provide the date that the perpetrator was convicted of Substantiate non-consensual sex acts.

115.86(c): Policy 606 PREA pg 22 Section 606.18 SEXUAL ABUSE INCIDENT REVIEW  
An incident review shall be conducted at the conclusion of every sexual abuse or sexual misconduct investigation unless the allegation has been determined to be unfounded (28 CFR 115.86). The review should occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and/or mental health professionals, as appropriate:

- (a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse or sexual misconduct.
- (b) 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.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.
- (d) Assess the adequacy of staffing levels in the area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- (f) Prepare a written report of the team's findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Sheriff and the PREA coordinator.

The Jail Commander or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so. Interview with Facility Commander or designee indicates that the facility has a sexual abuse incident review team. Team members include upper-level management officials and allow for input from line investigators, and medical or mental health practitioners.

115.86(d): The Sexual Abuse Incident Review (IRB) considers (1) Consider whether

the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; (2) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; (3) Examine the area in 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) Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to paragraphs (d)(1)-(d)(5) of this section, and any recommendations for improvement and submit such report to the facility head and PREA compliance

Interview with Facility Commander or Designee indicates that The IRB team uses the information from the sexual abuse incident review to identify Red Flags, could the incident have been prevented, did the incident occur in a Blind Spot, etc.

Interview with PREA Compliance Manager Indicates that the IRB report provides findings from the reviews, including any determinations of the Standards 115.86d)-1 through (d) - 5 and any recommendations for improvement. In other words we investigate everything.

Interview with Incident Review Team indicates that the Incident Review Team considers whether the incident or allegation was motivated by race, ethnicity, gender identity, LGBTI identification, status or perceived status, gang affiliation or otherwise by group dynamics at the facility. The team examines the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse. Assess the adequacy of staffing levels in that area during different shifts, and assess whether monitoring technology should be employed or augmented to supplement supervision by staff.

115.86(e): Auditor review of a sexual abuse case found that the facility implements the recommendations for improvement or documents its reasons for not doing so in their findings.

Based upon the analysis of evidence, the auditor finds the facility is not fully compliant with Standard provision(s) 115.86(b) and corrective action is required.

**Corrective Action Recommended:**

115.86(b): Auditor's review of case # 2023-0517JS found the investigation of the case was initiated on 5/24/23 but no information provided as to when the investigation was completed.

The IRB initiated and completed their review on 10/17/24 and case was referred to DA's office on 12/11/23. There was no information provided as to when the perpetrator was charged and convicted of Substantiated non-consensual Sex Acts.

1. Auditor requests the date that the investigation of the case was completed.
2. Please provide the reason why case was referred to the DA's office 2 months after the review of the Incident Review Board.
3. Please provide the date that the perpetrator was convicted of Substantiated non-consensual sex acts.

**Corrective Action Completion: 2/10/25:**

115.86(b):

Agency found that when the investigation packet was e-mailed to the auditor the formatting was skewed. The updated investigation packet was e-mailed to the auditor on 2/10/2025. Auditor confirmed receipt on the same date for review.

Upon review:

- Major Crimes Unit informed the PREA Coordinator on 11/16/23 that the detectives had spoken to all involved and would be filing the case with the DA's Office
- Final disposition of investigation is dated 9/16/2024
- Notification to IP of Investigation status dated 9/17/24
- Sexual Abuse Incident Review (IRB) was conducted and completed by 10/15/24
- DA Office filed complaint with Nevada County Superior Court
- Perpetrator pled guilty to charge of sexual abuse and received a concurrent prison sentence.

The agency/facility has met the requirements of Standard provision(s) 115.86(b) completed during the corrective action period. The auditor has determined that the agency/facility has met the standard provisions and complies with Standard 115.86.

<b>115.87</b>	<b>Data collection</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	115.87(a): Policy 606 PREA 606.19 DATA COLLECTION AND REVIEWS mandates that accurate, uniform data for every allegation of sexual abuse shall be collected using a standardized instrument. Incident-based sexual abuse data shall include, at a

minimum, the data necessary to answer all the questions from the most recent version of the Survey of Sexual Violence conducted by the DOJ. All data collected shall be maintained and reviewed as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. If requested, all data shall be provided from the previous calendar year to the DOJ no later than June 30.

This Office shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:

- (a) Identifying problem areas.
- (b) Identifying corrective actions taken.
- (c) Recommending corrective actions.
- (d) Comparing current annual data and corrective actions with those from prior years.
- (e) Assessing the office's progress in addressing sexual abuse.

The reports shall be approved by the Jail Commander and made available through the Office website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.88).

All aggregated sexual abuse data from Nevada County Sheriff's Office facilities and private facilities with which it contracts shall be made available to the public at least annually through the office website. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.89).

115.87(b): Policy 606.19 mandates that "This Office shall conduct an annual review of collected and aggregated incident-based sexual abuse data".

115.87(c): Agency's OREA /annual Statistical Report 2023 provides the standardized instrument includes, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence (SSV) conducted by the Department of Justice.

115.87(d): Policy 606 PREA 606.19 DATA COLLECTION AND REVIEWS mandates that accurate, uniform data for every allegation of sexual abuse shall be collected using a standardized instrument. Incident-based sexual abuse data shall include, at a minimum, the data necessary to answer all the questions from the most recent version of the Survey of Sexual Violence conducted by the DOJ. All data collected shall be maintained and reviewed as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. If requested, all data shall be provided from the previous calendar year to the DOJ no later than June 30.

115.87(e): N/A - Agency does not contract for the confinement of their inmates.

115.87(f): N/A - DOJ has not requested agency data.

**CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.87.

**115.88 Data review for corrective action**

**Auditor Overall Determination:** Meets Standard

**Auditor Discussion**

115.88(a):Policy PREA 606.19 DATA COLLECTION AND REVIEWS

Accurate, uniform data for every allegation of sexual abuse shall be collected using a standardized instrument. Incident-based sexual abuse data shall include, at a minimum, the data necessary to answer all the questions from the most recent version of the Survey of Sexual Violence conducted by the DOJ. All data collected shall be maintained and reviewed as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. If requested, all data shall be provided from the previous calendar year to the DOJ no later than June 30.

This Office shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:

- (a). Identifying problem areas.
- (b). Identifying corrective actions taken.
- (c). Recommending corrective actions.
- (d). Comparing current annual data and corrective actions with those from prior years.
- (e) Assessing the office’s progress in addressing sexual abuse.

The reports shall be approved by the Jail Commander and made available through the Office website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.88). All aggregated sexual abuse data from Nevada County Sheriff’s Office facilities and private facilities with which it contracts shall be made available to the public at least annually through the office website. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.89).

Interview with Agency Head or designee indicate that the base of sexual abuse data to assess and improve sexual abuse, prevention, detection and response, policies, practices, and training is used through the incident report system. Sergeant and Captains review all incidents.

Interview with PREA Coordinator indicates that you see reviews data collected and

	<p>aggregated pursuant to standard 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies and training. The agency ensures that data collected pursuant to standard 115.87 is securely retained through the use of Sharepoint which is maintained on the Sheriff's website. If needed, the agency makes corrective action on an ongoing basis based on that data to make improvements to staffing, cameras, policy and procedures. Interview with PREA Compliance Manager indicates that Agency reviews, data collected and aggregate pursuant to standard 115.87 in order to assess and improve effectiveness of its sexual abuse prevention, detection, in response, policies, and training, the role that the facility data plays in this review is any changes in facility operations and security measures, and camera systems monitoring.</p> <p>115.88(b): Agency states the annual report includes a comparison of the current year's data and corrective actions with those from prior years. The annual report provides an assessment of the agency's progress in addressing sexual abuse.</p> <p>115.88(c): The agency makes its annual report readily available to the public at least annually through its website. The annual reports are approved by the agency head. Interview with Agency Head or Designee indicate that the Agency Head approves annual reports written pursuant to Standard 115.88.</p> <p>115.88(d): Agency states that no redactions from the annual report have been done. Interview with the PREA Coordinator indicates that types of material typically redacted from the annual report are names and specifics of incidents. The agency indicates the nature of material redacted per Standard provision 115.88(d).</p>
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<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<p><b>Auditor Discussion</b></p> <p>115.89(a): Policy 606 PREA SECTION 606.20 RECORDS mandates that all case records and reports associated with a claim of sexual abuse, sexual harassment, or sexual misconduct, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.</p> <p>The Office shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is incarcerated or employed by the Office, plus five years (28 CFR 115.71).</p> <p>All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law</p>

requires otherwise (28 CFR 115.89)

Interview with the PREA Coordinator indicates that the agency reviews data collected and aggregated pursuant to Standard 115.88 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, and training. Agency ensures that data collected pursuant to Standard 115.87 are securely retained is by using the secure Sharepoint database. Reports from this database is utilized for annual reports placed on the Sheriff's website. Sharepoint is also utilized to make improvements in staffing, cameras, policy and procedures.

#### RECORD STORAGE:

Interview with Nevada County Sheriff IT Information Systems indicates that the Sheriff's Department utilizes the Jail Management System (JMS) for the Booking and Intake database. JMS runs on a special server in the data center (2 separate servers & 1 database server. Sharepoint uses a Microsoft Government Cloud which meets DOJ & CJIS Standards. CLETS Gateway is also utilized in Booking and Release. CLETS looks for outside warrants and is utilized for Live-Scan purposes (DOJ & FBI clearances). JMS, CLETS & SHAREPOINT are secure databases for the Nevada County Sheriff's Department.

115.89(b): :Policy PREA 606.19 DATA COLLECTION AND REVIEWS mandates accurate, uniform data for every allegation of sexual abuse shall be collected using a standardized instrument. Incident-based sexual abuse data shall include, at a minimum, the data necessary to answer all the questions from the most recent version of the Survey of Sexual Violence conducted by the DOJ. All data collected shall be maintained and reviewed as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. If requested, all data shall be provided from the previous calendar year to the DOJ no later than June 30.

This Office shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:

- (a). Identifying problem areas.
- (b). Identifying corrective actions taken.
- (c). Recommending corrective actions.
- (d). Comparing current annual data and corrective actions with those from prior years.
- (e) Assessing the office's progress in addressing sexual abuse.

The reports shall be approved by the Jail Commander and made available through the Office website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.88). All aggregated sexual abuse data from Nevada County Sheriff's Office facilities and private facilities with which it contracts shall be made available to the public at least annually through the office website. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.89).

Auditor reviewed the Sheriff's Departmental website and verified PREA compliance

with the PREA Standards.

115.89(c): Review if the Nevada County Sheriff's Office Corrections Division PREA Annual Statistical Report 2023 found no personal identifiers in their Annual Report. Policy 606 PREA Section 606.20 Records mandates that All case records and reports associated with a claim of sexual abuse, sexual harassment, or sexual misconduct, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.

The Office shall retain all written reports from administrative and criminal investigations pursuant

to this policy for as long as the alleged abuser is incarcerated or employed by the Office, plus five years (28 CFR 115.71).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise (28 CFR 115.89).

115.89(d): Policy 606 Section 606.20 Records mandates that All case records and reports associated with a claim of sexual abuse, sexual harassment, or sexual misconduct, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with confidentiality laws.

The Office shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is incarcerated or employed by the Office, plus five years (28 CFR 115.71).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise (28 CFR 115.89).

**CONCLUSION:**

Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.89.

115.401	Frequency and scope of audits
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	115.401(a): Auditor reviewed the Sheriff's Website for public viewing and verified the 2016, 2018 and 2021, both Wayne Brown Detention Facility and Truckee

Substation Facility have been successfully audited and meeting the PREA Standards. The Nevada County Sheriff's Department does not contract with outside agencies to house their IPs.

115.401(b): Auditor reviewed the Sheriff's Website for public viewing and verified the 2016, 2018 and 2021, both Wayne Brown Detention Facility and Truckee Substation Facility have been successfully audited and meeting the PREA Standards. The Nevada County Sheriff's Department does not contract with outside agencies to house their IPs.

115.401(h): Agency provided auditor with full access of the facility both during the Facility Review and interviews with Specialized Staff, Random Staff, Random IPs and Targeted IPs.

115.401(i): Auditor received one correspondence letter from an IP housed in the facility. This IP was interviewed during the Onsite Audit where the IP indicated that he sent the letter 5 days prior to my arrival at the facility. The letter had LEGAL in red letters on both front and back. Legal mail for Wayne Brown Facility is as follows: Confidential Correspondence: Incarcerated persons may correspond confidentially with courts, legal counsel, officials of this office, elected officials, the Department of Corrections, jail inspectors, government officials, or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request

Facility staff may inspect incoming confidential correspondence for contraband, which should be conducted in the presence of the incarcerated person. Facility staff may inspect outgoing confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the incarcerated person.

In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (15 CCR 1063(c)).

All incoming confidential correspondence will be signed for by the incarcerated person using the legal mail receipt at the time the incarcerated person is given the correspondence. The legal mail receipt is then filed in the incarcerated person booking hard card.

115.401(m): Auditor was permitted to interview all IPs and Staff in private settings.

115.401(n): Auditor received one correspondence letter from an IP housed in the facility. This IP was interviewed during the Onsite Audit where the IP indicated that he sent the letter 5 days prior to my arrival at the facility. The letter had LEGAL in red letters on both front and back. Legal mail for Wayne Brown Facility is as follows: Confidential Correspondence: Incarcerated persons may correspond confidentially with courts, legal counsel, officials of this office, elected officials, the Department of Corrections, jail inspectors, government officials, or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities.

	<p><b><u>CONCLUSION:</u></b> Based upon the final analysis of evidence, the auditor finds the facility is fully compliant with Standard 115.401.</p>
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<b>115.403</b>	<b>Audit contents and findings</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	115.403(f): Auditor reviewed the Sheriff's website for public access and verified all previous PREA Final Reports remain on the website for 2016, 2018 & 2021 for PREA audits conducted on both Wayne Brown Detention Facility and Truckee Substation Facility.

<b>Appendix: Provision Findings</b>		
<b>115.11 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.11 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.11 (c)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.12 (a)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	na
<b>115.12 (b)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure	na

	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.)	
<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	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	yes

	consideration: Any applicable State or local laws, regulations, or standards?	
	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
<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	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
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	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
<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	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

<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	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
<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	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
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	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
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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	yes

	facility does not have female inmates.)	
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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

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

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
<b>115.16 (b)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	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	yes

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

<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	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
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	

	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
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	

	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
<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	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
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	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
<b>115.31 (a)</b>	<b>Employee training</b>	
	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
<b>115.31 (b)</b>	<b>Employee training</b>	
	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
<b>115.31 (c)</b>	<b>Employee training</b>	
	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
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	

	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
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	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
<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.33 (a)</b>	<b>Inmate education</b>	
	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
<b>115.33 (b)</b>	<b>Inmate education</b>	
	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
<b>115.33 (c)</b>	<b>Inmate education</b>	
	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
<b>115.33 (d)</b>	<b>Inmate education</b>	
	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
<b>115.33 (e)</b>	<b>Inmate education</b>	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
<b>115.33 (f)</b>	<b>Inmate education</b>	
	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
<b>115.34 (a)</b>	<b>Specialized training: Investigations</b>	
	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
<b>115.34 (b)</b>	<b>Specialized training: Investigations</b>	
	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	yes

	Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	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
<b>115.34 (c)</b>	<b>Specialized training: Investigations</b>	
	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
<b>115.35 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	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	yes

	suspicious 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.)	
<b>115.35 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	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
<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	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
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective	yes

	screening instrument?	
<b>115.41 (d)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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	yes

	information is not exploited to the inmate’s detriment by staff or other inmates?	
<b>115.42 (a) Use of screening information</b>		
	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
<b>115.42 (b) Use of screening information</b>		
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
<b>115.42 (c) Use of screening information</b>		
	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	yes

	present management or security problems?	
<b>115.42 (d)</b>	<b>Use of screening information</b>	
	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
<b>115.42 (e)</b>	<b>Use of screening information</b>	
	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
<b>115.42 (f)</b>	<b>Use of screening information</b>	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
<b>115.42 (g)</b>	<b>Use of screening information</b>	
	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	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
<b>115.43 (a)</b>	<b>Protective Custody</b>	
	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
<b>115.43 (b)</b>	<b>Protective Custody</b>	
	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
<b>115.43 (c)</b>	<b>Protective Custody</b>	

	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
<b>115.43 (d) Protective Custody</b>		
	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
<b>115.43 (e) Protective Custody</b>		
	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
<b>115.51 (a) Inmate reporting</b>		
	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
<b>115.51 (b) Inmate reporting</b>		
	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	yes

	anonymous upon request?	
	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.)	yes
<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	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
<b>115.51 (d)</b>	<b>Inmate reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	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	yes

	this standard.)	
	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
<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (f)</b>	<b>Exhaustion of administrative remedies</b>	

	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
<b>115.52 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	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,	yes

	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.)	
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.53 (b)</b>	<b>Inmate access to outside confidential support services</b>	
	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
<b>115.53 (c)</b>	<b>Inmate access to outside confidential support services</b>	
	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
<b>115.54 (a)</b>	<b>Third-party reporting</b>	
	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
<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	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	yes

	abuse or sexual harassment or retaliation?	
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	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
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	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
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.64 (a)</b>	<b>Staff first responder duties</b>	
	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
<b>115.64 (b)</b>	<b>Staff first responder duties</b>	
	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
<b>115.65 (a)</b>	<b>Coordinated response</b>	
	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	yes

	response to an incident of sexual abuse?	
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	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
<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.67 (c)</b>	<b>Agency protection against retaliation</b>	
	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	yes

	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?	
	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
<b>115.67 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	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
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations	yes

	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).)	
	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
<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	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
<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	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

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

	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?	
<b>115.73 (e)</b>	<b>Reporting to inmates</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	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
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	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
<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	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
<b>115.77 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	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
<b>115.78 (a)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (b)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (c)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	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	yes

	evidence sufficient to substantiate the allegation?	
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior	yes

	sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse</b>	

	<b>victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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

<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	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
<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	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
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

<b>115.87 (a)</b>	<b>Data collection</b>	
	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
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	
	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
<b>115.87 (d)</b>	<b>Data collection</b>	
	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
<b>115.87 (e)</b>	<b>Data collection</b>	
	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
<b>115.87 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	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	yes

	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?	
<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	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
<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	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
<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	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
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	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
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	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
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	

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

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