

PREA Facility Audit Report: Final

Name of Facility: Boone County Detention Center

Facility Type: Prison / Jail

Date Interim Report Submitted: 06/02/2023

Date Final Report Submitted: 12/14/2023

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
Auditor Full Name as Signed: Bridgette M. Collins	Date of Signature: 12/14/ 2023

AUDITOR INFORMATION	
Auditor name:	Collins, Bridgette
Email:	confinementsafety@gmail.com
Start Date of On-Site Audit:	04/17/2023
End Date of On-Site Audit:	04/18/2023

FACILITY INFORMATION	
Facility name:	Boone County Detention Center
Facility physical address:	3020 Conrad Lane, Burlington, Kentucky - 41005
Facility mailing address:	P.O. Box 898, Burlington, Kentucky - 41005

Primary Contact	
Name:	Anthony Brazier
Email Address:	Abrazier@boonecountyky.org
Telephone Number:	859-334-3107

Warden/Jail Administrator/Sheriff/Director	
Name:	Jason MAydak
Email Address:	jmaydak@boonecountyky.org
Telephone Number:	859-334-2216

Facility PREA Compliance Manager	
Name:	Anthony Brazier
Email Address:	abrazier@boonecountyky.org
Telephone Number:	O: 859-334-3107

Facility Health Service Administrator On-site	
Name:	Taylor Lightner
Email Address:	tlightner@boonecountyky.org
Telephone Number:	859-334-8424

Facility Characteristics	
Designed facility capacity:	500
Current population of facility:	462
Average daily population for the past 12 months:	444
Has the facility been over capacity at any point in the past 12 months?	No

Which population(s) does the facility hold?	Both females and males
Age range of population:	18+
Facility security levels/inmate custody levels:	Min, Med, Max
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	75
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	2
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	437

AGENCY INFORMATION	
Name of agency:	Boone County Fiscal Court
Governing authority or parent agency (if applicable):	
Physical Address:	2950 Washington Street, Burlington, Kentucky - 41005
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information

Name:	Oscar Jeffries	Email Address:	ojeffries@boonecountyky.org
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Facility AUDIT FINDINGS

Summary of Audit Findings

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.

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.

Number of standards exceeded:

0

Number of standards met:

45

Number of standards not met:

0

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2023-04-17
2. End date of the onsite portion of the audit:	2023-04-18

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
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a. Identify the community-based organization(s) or victim advocates with whom you communicated:

Boone County Jail would use the services of St. Elizabeth's Hospital in Florence Kentucky following a PREA allegation that requires a forensic exam. The auditor conducted some online research and located the Patients Rights and Responsibilities per St. Elizabeth Healthcare. The first right is to "Receive support and protection of fundamental human, civil and legal rights." It also states that they have the right to "Receive information from their physicians about the nature, purpose, anticipated outcome's, substantial risks and acceptable alternatives of any diagnostic and treatment procedures." The auditor was able to speak with staff of the Emergency Room of St. Elizabeth's Hospital. All services provided are offered, even if the person doesn't have insurance or is currently in custody. There is a designated Sexual Assault Nurse Examiner who works on-call. In that role, this person would conduct the forensic exam and connect the victim to aftercare services. They are also responsible for contacting the appropriate law enforcement agency based on the location in which the assault took place.

There is a Memorandum of Understanding (MOU) in place between the ION Center and Boone County Jail. This advocacy facility has been selected as a community partner to provide services to any inmate in their custody who is in need of care following a PREA allegation. The auditor was able to speak with the CEO, who entered into the agreement on 6/26/23. It should be noted that the relationship between these two facilities was established prior to the arrival of the new CEO who began over 5 years ago. The current MOU was simply an update. The ION Center provides free advocacy support to anyone in the community who has been a victim and in need of resources. They offer 24/7 live responders through phone, email or text. They also work in conjunction with area hospitals and are a referral source. Some of the services offered include..

- Accompaniment during forensic medical exam
- Accompaniment during investigatory interviews and court proceedings
- Emotional support services
- Crisis Intervention
- Information
- Relevant referrals and other options

Staff of the ION Center have physically been to the Boone County Jail to take a tour, meet the Jailer and other personnel required interactions.

The facility has a relationship with a language line to ensure proper communication with those who don't speak English, have hearing or sight impairment or utilize American Sign Language. They also employ bilingual staff who can assist independent of the language line when appropriate. If the persons needs are too great for the facility, they have a list of sources from Americans with Disabilities Act Compliance.

The staff of the facility are all required to complete 40 hours of training and some have specialized degrees depending on their job qualifications. They also complete an in-house orientation and foundational training specific to the organizations purpose and mission.

It is required that any person who is requesting services understand the limits to confidentiality and that is explained immediately during the intake assessment. Being a danger to themselves or others is not considered confidential and will be acted upon with the proper notifications.

The CEO reported that there have been no reports for services for Boone County Jail in the previous 12 months, nor has there been a call from their location.

AUDITED FACILITY INFORMATION

14. Designated facility capacity:

500

15. Average daily population for the past 12 months:	444
16. Number of inmate/resident/detainee housing units:	58
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)
Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit	
Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit	
36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	430
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	0
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	2
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0

41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	84
43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:	4
44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:	0
45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:	0
46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:	0
47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:	0

<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>Beyond the inmates being held for ICE or those who required translators to communicate, the facility was not able to identify inmates based on these questions. Since that time, they are working on updating their current system to reflect the different populations.</p> <p>The numbers above reflect inmates being randomly selected to interview and then admitting to being a part of the vulnerable population.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>82</p>
<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>96</p>
<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>33</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>An accurate representation of these numbers was solidified following the corrective action period. Originally the numbers provided were for anyone who had ever been approved as a contractor or volunteer. Because documentation was not available for all of these persons, the facility did the work to get a good baseline to go from there.</p> <p>Now the expectations have been set as to how all current and future contractors or volunteers are to be vetted and have access to the facility and its inmates.</p>

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:	18
54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)	<input type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input checked="" type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None
55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?	<p>The auditor attempted to meet with inmates in different housing units. If during the interview, the person fell into the vulnerable population category, the auditor selected someone different to replace them. Because this facility has both a contained population and a work camp, the auditor attempted to meet with as many work camp participants as possible who were in the building and available to interview. The auditor did modify her schedule to work in the evening and during the night to ensure she was able to interact with as many inmates as possible.</p>
56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No

<p>57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>The only barrier to interviews is how the inmates are categorized within the facility. The headcount form provided has the persons housing classification, cell number, name, arrest date and time, race and sex. It didn't provide specifics about vulnerable populations, age or level of crime. Because of this, unless staff knew off hand, who would be considered a vulnerable inmate, the auditor wasn't sure until the interview began. They have since been instructed that they will need to have the ability to pull records showing vulnerability so that the auditor can be more intentional with selections during future PREA audits. Some updates to the system have already taken place.</p>
<p>Targeted Inmate/Resident/Detainee Interviews</p>	
<p>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>8</p>
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
<p>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>

<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>As previously mentioned, the facility did not keep a log that separates the inmates who are in the vulnerable populations listed. The auditor asked for inmates who fit the criteria but was only able to interview those known by the staff personally.</p>
<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>2</p>
<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>As previously mentioned, the facility did not keep a log that separates the inmates who are in the vulnerable populations listed. The auditor asked for inmates who fit the criteria but was only able to interview those known by the staff personally.</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>As previously mentioned, the facility did not keep a log that separates the inmates who are in the vulnerable populations listed. The auditor asked for inmates who fit the criteria but was only able to interview those known by the staff personally.</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>3</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>4</p>

<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>As previously mentioned, the facility did not keep a log that separates the inmates who are in the vulnerable populations listed. The auditor asked for inmates who fit the criteria but was only able to interview those known by the staff personally.</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>As previously mentioned, the facility did not keep a log that separates the inmates who are in the vulnerable populations listed. The auditor asked for inmates who fit the criteria but was only able to interview those known by the staff personally.</p>

<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>As previously mentioned, the facility did not keep a log that separates the inmates who are in the vulnerable populations listed. The auditor asked for inmates who fit the criteria but was only able to interview those known by the staff personally.</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>As previously mentioned, the facility did not keep a log that separates the inmates who are in the vulnerable populations, therefore she chose people based on housing and their availability. The auditor asked for inmates who fit the vulnerable population criteria but was only able to interview those known by the staff personally that could be identified.</p>
<p>70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</p>	<p>The auditor was only able to identify demographics of the inmate population based on the current classification system which did not separate the vulnerable populations as listed in the standards.</p> <p>If staff could think of an inmate that met the criteria, that person was brought to be interviewed, otherwise their need for modifications came out during the random interviews.</p> <p>The facility has been made aware that they will need to add a way to classify inmates based on the different vulnerable populations.</p>
<p>Staff, Volunteer, and Contractor Interviews</p>	
<p>Random Staff Interviews</p>	
<p>71. Enter the total number of RANDOM STAFF who were interviewed:</p>	<p>0</p>
<p>72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input type="checkbox"/> Shift assignment</p> <p><input type="checkbox"/> Work assignment</p> <p><input 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>If "Other," describe:</p>	<p>All of the staff of this facility are cross-trained to work every post and do multiple jobs. Therefore every interview included specialized interview questions being asked as well.</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p>a. Select the reason(s) why you were unable to conduct the minimum number of RANDOM STAFF interviews: (select all that apply)</p>	<p><input type="checkbox"/> Too many staff declined to participate in interviews.</p> <p><input type="checkbox"/> Not enough staff employed by the facility to meet the minimum number of random staff interviews (Note: select this option if there were not enough staff employed by the facility or not enough staff employed by the facility to interview for both random and specialized staff roles).</p> <p><input type="checkbox"/> Not enough staff available in the facility during the onsite portion of the audit to meet the minimum number of random staff interviews.</p> <p><input checked="" type="checkbox"/> Other</p>
<p>If "Other," explain:</p>	<p>All of the staff of this facility are cross-trained to work every post and do multiple jobs. Therefore every interview included specialized interview questions being asked as well.</p> <p>There is not a single staff who doesn't wear multiple hats in this facility. They all are trained to do specialized tasks. This is by design so that extra hands are always available.</p>

<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>Initially the auditor was randomly selecting staff based on who was available within the facility during those hours but after conducting multiple interviews, it was discovered that all staff were cross trained. After verifying that information with the PREA Coordinator to be accurate, the auditor decided to do the random questionnaire on all staff and then follow up with any additional specializations they were responsible for. It should be noted that the auditor modified her working hours to ensure she interviewed staff who worked evening or night shifts. She spoke to line staff as well as supervisors or those with different non-custodial job titles. The length of employment was also documented as was gender and race. At the conclusion of every interview, the auditor always asks if the staff feel safe working in their environment and all who were interviewed concluded that they did with no hesitation.</p>
<p>Specialized Staff, Volunteers, and Contractor Interviews</p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p>75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</p>	<p>12</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>

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

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

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

	<input type="checkbox"/> Other
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input type="radio"/> Yes <input checked="" type="radio"/> No
82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	1
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input checked="" type="checkbox"/> Other
83. Provide any additional comments regarding selecting or interviewing specialized staff.	The auditor was able to interview the Licensed Clinical Social Worker who is a contractor as a Mental Health Counselor.

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

84. Did you have access to all areas of the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Was the site review an active, inquiring process that included the following:	
85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
88. Informal conversations with staff during the site review (encouraged, not required)?	<input checked="" type="radio"/> Yes <input type="radio"/> No

<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>Informal conversations with inmates would take place when the auditor was touring the individualized cells. All of the inmates that were interacted with in any way felt that their sexual safety was not a concern. Many of them struggled to even answer questions regarding PREA because they weren't concerned about it.</p> <p>Even those who made reports of sexual harassment, the auditor was able to see documentation of the actions taken by the staff that were time and date stamped using their systems. They are following the policy as expected even when the auditor is not on grounds.</p>
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Documentation Sampling

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

<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
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<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>The auditor requested documentation for all current staff, contractors or volunteers to ensure that the practice was across the board. For the people who were hired or contracted prior to these revisions, they would be asked to complete a form as of the date the policy change was put into affect. The auditor was given access to every record within the facility and was able to select the sampling herself.</p>
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SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	1	0	0
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	1	0	0

Sexual Harassment Investigation Outcomes

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:	1
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<p>99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p>Inmate-on-inmate sexual abuse investigation files</p>	
<p>100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>1</p>
<p>101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)</p>
<p>Staff-on-inmate sexual abuse investigation files</p>	
<p>103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</p>	<p>0</p>
<p>104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</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>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</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>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>2</p>
<p>107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p>Inmate-on-inmate sexual harassment investigation files</p>	
<p>108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>2</p>
<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>

Staff-on-inmate sexual harassment investigation files	
111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	0
112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)
114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.	<p>There were 3 PREA investigations between 4/17/22 and 4/17/23. All three were unfounded and were inmate on inmate specific. One was for allegations of sexual assault/abuse and the other two were for allegations of sexual harassment.</p> <p>In all three cases, immediately upon notification, the staff followed the policies and procedures as written and removed the alleged victim from the alleged perpetrator(s). In these examples, there was third party reports as well as first person reports of violations and all were treated as written and expected.</p> <p>In one of the scenarios, it was believed that the alleged victim may have mental health concerns previously unaddressed and that person was immediately referred for follow up attention.</p> <p>The facility has counted the event from 2022 in their end of year data collection for calendar year 2022 and all events from 2023 will be aggregated at years end.</p>

SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.

- Yes
- No

Non-certified Support Staff

116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.

- Yes
- No

AUDITING ARRANGEMENTS AND COMPENSATION

121. Who paid you to conduct this audit?

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

Standards	
Auditor Overall Determination Definitions	
<ul style="list-style-type: none"> • Exceeds Standard (Substantially exceeds requirement of standard) • Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period) • Does Not Meet Standard (requires corrective actions) 	
Auditor Discussion Instructions	
<p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>	

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The agency shall have a written policy mandating zero tolerance toward all forms of sexual abuse and sexual harassment and outlining the agency’s approach to preventing, detecting, and responding to such conduct.</p> <p>Boone County Detention Center has a PREA policy that is a 3 page document labeled as Section 5.04 PREA Regulation. This policy describes the facilities zero tolerance policy and provides definitions of prohibited behaviors that would constitute a PREA violation for sexual abuse and sexual harassment. The facility outlines how it will implement the agency's approach to preventing, detecting and responding to sexual abuse and sexual harassment. The policy provides multiple methods for staff and inmates to make a report of allegations for the purpose of launching an investigation.</p> <p>The facility provided a copy of the 2022 Personnel Policies that were updated on 3/8/23. On pages 18 and 19, Chapter 21 entitled Sexual Harassment/PREA Guidelines, it provides specific language regarding how any person found to be in violation of this policy may be sanctioned. There is also information about the prohibition of</p>

	<p>retaliation toward any staff or inmate who is involved, witnessed or reports sexual abuse or sexual harassment.</p> <p>The agency shall employ or designate an upper-level, agency-wide PREA coordinator with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards in all of its facilities.</p> <p>The auditor was provided the Administration/Fiscal Management Organization Structure. It shows that the facilities Lieutenant is also identified as the PREA Coordinator and he is responsible for supervising all custody staff sergeants and deputies. He is the third highest ranking official answering directly to the Chief Deputy who answers to the Jailer.</p> <p>During the onsite portion of the audit, the PREA Coordinator who was working the midnights rotation schedule adjusted to be present the entire time the auditor was on grounds. He was interactive in every step of the process, could answer questions without hesitation and was able to provide requested documentation immediately upon request.</p> <p>He also made sure that the audit process went smoothly by orchestrating all movement for staff and inmates in an effort to avoid interruption of daily processes.</p> <p>Where an agency operates more than one facility, each facility shall designate a PREA compliance manager with sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.</p> <p>Despite Boone County Jail only operating one facility, they still have a designated PREA compliance manager as well as a PREA Coordinator. During the entire audit process, the auditor had regular contact with both parties. Based on their attentiveness, response times and availability, it has been shown that both have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards.</p>
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115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>A public agency that contracts for the confinement of its inmates with private agencies or other entities, including other government agencies, shall include in any new contract or contract renewal the entity's obligation to adopt and comply with the PREA standards.</p> <p>In this instance, the Boone County Detention Center is the contract facility. Copies of the contracts from the Kentucky Department of Correction dated 3/21/22 and from</p>

	<p>the Department of Justice-US Marshals Service dated 12/1/22 were presented.</p> <p>The contract from the Department of Justice-US Marshals Service is a 42 page document that provides information about specific requirements to house Bureau of Prison and Immigration and Customs Enforcement inmates. Pages 14 and 15 provide expectations regarding compliance with PREA standards.</p> <p>Any new contract or contract renewal shall provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards.</p> <p>Both documents provided had effective dates and disclaimers that they were valid until the next cycle of audits and/or contract renewals.</p>
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115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The agency shall ensure that each facility it operates shall develop, document, and make its best efforts to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse. In calculating adequate staffing levels and determining the need for video monitoring, facilities shall take into consideration:</p> <p>(1) Generally accepted detention and correctional practices; (2) Any judicial findings of inadequacy; (3) Any findings of inadequacy from Federal investigative agencies; (4) Any findings of inadequacy from internal or external oversight bodies; (5) All components of the facility’s physical plant (including “blind-spots” or areas where staff or inmates may be isolated); (6) The composition of the inmate population; (7) The number and placement of supervisory staff; (8) Institution programs occurring on a particular shift; (9) Any applicable State or local laws, regulations, or standards; (10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and (11) Any other relevant factors.</p> <p>Initially the facility was operating from a staffing plan point of view but didn't have an actual document that met the criteria for this standard. The auditor was given a copy of the Annual Staffing Plan that is dated 10/17/23 and it addresses all of the subsections as required along with other collateral documentation.</p>

In circumstances where the staffing plan is not complied with, the facility shall document and justify all deviations from the plan.

The facility reports that there have been no deviations from the staffing plan in the previous 12 months.

Whenever necessary, but no less frequently than once each year, for each facility the agency operates, in consultation with the PREA coordinator required by § 115.11, the agency shall assess, determine, and document whether adjustments are needed to:

- (1) The staffing plan established pursuant to paragraph (a) of this section;**
- (2) The facility's deployment of video monitoring systems and other monitoring technologies; and**
- (3) The resources the facility has available to commit to ensure adherence to the staffing plan.**

The auditor was provided with a copy of the memorandum from the Captain to Boone County Jail Records dated 1/11/23, wherein it discloses that the staffing plan was reviewed as well as who was present during this meeting. The Jailer, 2 Captains, 2 Lieutenants and 1 Health Services Administrator were a part of this specific meeting. All of these are supervisory level employees. All of the standard requirements were reviewed and it was deemed that the current level is appropriate and that no changes were necessary at this time. It also stated that since the previous meeting, the facility was able to increase staffing overall and re-open the work camp facility.

On 6/8/23, another Staffing Plan Meeting was held that included upper level staff as well as PREA employees. It discussed the expectation of 1 nurse, 9 deputies and one supervisor on every shift. It also discussed the addition of cameras throughout the facility to aid in blind spots that are due to be in place and operable by November or December of 2023.

Each agency operating a facility shall implement 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. Such policy and practice shall be implemented for night shifts as well as day shifts. Each agency shall have a policy to prohibit 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.

The auditor was provided a copy of the policy and procedure manual where is specifically provides feedback in Section 7.06 entitles Surveillance, Cell Checks and Block Assignments. This section of the policy provides standard operating procedures and expectations for all custody staff within the facility. Each deputy jailer is required to conduct inmate checks at least once every hour at irregular intervals. Inmates deemed as special cell checks, shall be observed at least once every 20 minutes at irregular intervals. Inmates on suicide watch are to be checked at least once every 15 minutes at irregular intervals.

	<p>All of the staff at the facility are cross-trained to work every post and they alternate their actual working shift every four months. Because of this, they are all well versed in the totality of operations on a 24 hour rotation.</p> <p>The auditor was provided a copy of the scan logs that are electronically recorded in live time as the staff conduct these visual checks. The log shows what cell was checked, which staff conducted it along with a time and date stamp.</p> <p>While onsite, the auditor was able to see this process in live time and then review the log as it was generated. All staff interviews supported knowing this expectation and requirements to comply.</p>
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115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>A youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.</p> <p>In areas outside of housing units, agencies shall either:</p> <p>(1) maintain sight and sound separation between youthful inmates and adult inmates, or</p> <p>(2) provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact.</p> <p>Agencies shall make best efforts to avoid placing youthful inmates in isolation to comply with this provision. Absent exigent circumstances, agencies shall not deny youthful inmates daily large-muscle exercise and any legally required special education services to comply with this provision. Youthful inmates shall also have access to other programs and work opportunities to the extent possible.</p> <p>This standard is not applicable due to the facility not housing youthful inmates. In Boone County Kentucky, youth are taken directly to Campbell County Juvenile Detention. In the event that a youth does enter the facility, all movement is stopped until they are no longer there. This information was provided to the auditor by the PREA coordinator verbally during the onsite portion of the audit.</p> <p>Because the auditor was unable to find the language in the policy that matched what was reported verbally, the facility was asked to complete an update. Chapter 4, Admission, Classification and Release has been updated to state, "No person under the age of 18 shall be admitted to the jail or workcamp. In event it is discovered that a person under the age of 18 has entered the jail or workcamp, all non-emergency movements shall cease until the person is removed from the secure area of the jail."</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility shall not conduct cross-gender strip searches or cross-gender visual body cavity searches (meaning a search of the anal or genital opening) except in exigent circumstances or when performed by medical practitioners. As of August 20, 2015, or August 20, 2017 for a facility whose rated capacity does not exceed 50 inmates, the facility shall not permit cross-gender pat-down searches of female inmates, absent exigent circumstances. The facility shall document all cross-gender strip searches and cross-gender visual body cavity searches, and shall document all cross-gender pat-down searches of female inmates.</p> <p>The policy states that any strip search shall be conducted with the greatest degree of dignity possible for the inmate, in a private area and by two deputy jailers of the same sex of the inmate. The process shall be explained to the inmate to increase awareness of what to expect. They inmate will be given the opportunity to remove any contraband that may be concealed during this time.</p> <p>When there is reasonable suspicion to believe there is a need for a visual body cavity search, it only to be conducted by healthcare staff (physician, nurse practitioner or registered nurse), if clinically indicated, and will be conducted in a private location under sanitary conditions. Also all body cavity searches must be approved by the Jailer or designee per the BCJ PREA Training.</p> <p>The auditor was provided a copy of the Policy and Procedure Manual that clearly states that there shall be no cross-gender pat down searches of female inmates.</p> <p>The auditor was given a copy of the BCJ PREA Training curriculum. In it provides some of the expectations for this standard. It clearly states that only in exigent (extraordinary) circumstances shall a cross-gender strip search and/or body cavity search be conducted and it must be documented.</p> <p>Facilities shall not restrict female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision.</p> <p>The facility requires that a female staff is always working on a 24/hr rotation. This was verified by the auditor who was in the facility during all hours of a 24hr rotation and saw multiple female staff on every shift.</p> <p>Interviews with female inmates as well as staff supported this expectation as they have never known the facility to operate without a female staff.</p> <p>The facility shall implement policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia,</p>

except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering an inmate housing unit.

Facility policy states that cross gender viewing of an inmate's breasts, buttocks or genitalia shall not be permitted while inmates shower, perform bodily functions and change clothing, except in exigent circumstances or when viewing is incidental to routine cell checks.

The standard operating procedure for the female inmates differs a little from the male inmates. Male staff are never to enter the female housing units without a female staff escort and being announced. Female staff are able to enter the male housing units without an escort but they must announce themselves. This was visually seen by the auditor during the onsite visit.

Because of how each individual housing unit is set up, from the hallway you can see the entrance to the shower. There is a darkening film/tint on the windows from the hallway which require staff to be intentional to see inside the space. Many of the inmates interviewed were concerned about this and provided feedback to the auditor. They reported hanging sheets to block the shower entrance but knew this was against the facilities rules but they did it to have more perceived privacy.

Because of those concerns, the auditor physically stood in a shower to ensure bathing could be done without incidental viewing. The walls to the shower and where the spigot is located, requires the inmate to stand in a cubby that makes viewing impossible to anyone unless they physically enter the space.

Incidental viewing could occur because the hook for clothing and towels are outside of the shower, requiring the resident to leave the cubby area and potentially be seen while drying off.

Because of this, the auditor suggested the facility put half curtains in place to add another layer of privacy.

This would also aid in the inmates concern about cameras being installed in the housing units and what would be within view. The wiring for the cameras was in place during the onsite but the physical cameras had not been installed. The PREA coordinator confirmed that the cameras will not point in the direction of showers or toilets and if those areas were captured, they would be blocked using technological advancements.

The facility shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner.

	<p>The facility policy specifically states that no deputy shall search or physically examine an inmate who is transgender or intersex for the sole purpose of determining the inmates' genital status.</p> <p>Interviews with staff confirmed that they were aware of this expectation and knew this was a prohibited practice.</p> <p>There were no transgender or intersex inmates in custody during the onsite portion for the auditor to confirm this information from their point of view.</p> <p>The agency shall train security staff in how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.</p> <p>The auditor was provided copies of training records for 33 employees who were employed since 1/1/22. She was also given a copy of the Deputy Jailer 2022 Classroom Agenda, wherein PREA, Working with Transgenders Offenders and Searches are classes. These 3 topics cover 5 of the 8 hours expected for the day.</p> <p>Staff interviews confirmed that they had been trained on how to conduct a cross-gender pat-down search and how to search a transgender or intersex inmate in a professional and respectful manner consistent with security needs and in the least intrusive manner possible.</p> <p>The BCJ PREA Training curriculum addresses the organizations stance on conducting transgender or intersex searches with multiple options. They are as follows:</p> <ul style="list-style-type: none"> • the search may be conducted by female staff only, especially given there is no prohibition on the pat-down searches that female staff can perform; • asking the offender to identify the gender of staff, with whom they would feel most comfortable conducting the search; • searches conducted in accordance with the inmates gender identity; and, • the search may be conducted by medical staff if it is a body cavity search.
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115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The agency shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an equal opportunity</p>

to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment. Such steps shall include, when necessary to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. In addition, the agency shall ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities, including inmates who have intellectual disabilities, limited reading skills, or who are blind or have low vision. An agency is not required to take actions that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens, as those terms are used in regulations promulgated under title II of the Americans With Disabilities Act, 28 CFR 35.164.

The agency shall 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, including steps to provide interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

The agency shall not rely on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under § 115.64, or the investigation of the inmate's allegations.

The auditor was provided with a copy of the Policies and Procedure Manual where it addresses the requirements of this standard. It says specifically that any inmate who believes they may require assistance due to a disability may make a verbal or written request to the Health Services Administrator and their request will be reviewed immediately. Because they have medical and mental health employees, they would be responsible for providing the necessary modifications depending on the persons vulnerability.

Per policy, only way a request for modifications will be denied is if it jeopardizes the safety and security of the facility, the inmates or jail staff. If that is the case, the appropriate contract agency will be notified.

The auditor was able to meet with and interview bilingual staff while on grounds. It was expressed that they understood the expectation to communicate on behalf of the facility when language barriers would hinder progression.

Many staff that were interviewed reported having access to google translate on their electronic devices and the ability to use the facilities language line. The facility uses

	<p>a company called ERO Language Services. They provided a form that shows how to access their specific account and what interpretation services are available including services in over 150 different languages.</p> <p>Translation and Interpretation services are available. The Language Line is available on a 24hr basis by calling a specific number and providing a Field Office PIN number assigned to the agency. Interpretation services are offered M-F from 7:30a-5p. If interpretation is necessary after hours, there is another phone number to be called requiring a PIN number for access.</p> <p>The auditor was able to verify the validity of this service.</p>
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115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The agency shall not hire or promote anyone who may have contact with inmates, and shall not enlist the services of any contractor who may have contact with inmates, who—</p> <p>(1) 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>(2) Has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or</p> <p>(3) Has been civilly or administratively adjudicated to have engaged in the activity described in paragraph (a)(2) of this section.</p> <p>The agency shall consider any incidents of sexual harassment in determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates.</p> <p>The auditor was provided copies of the signed and dated Pre-Employment Questionnaires for all current staff. Originally, it was a copy of the blank form uploaded into OAS as proof. She was also provided a copy of the promotion questionnaire for any staff that was reviewed for promotion in the past 12 months.</p> <p>The agency shall 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 and in any interviews or written self-evaluations conducted as part of reviews of current employees.</p>

The auditor was provided with the Pre-Employment Questionnaire that asks 3 specific PREA related questions per the standard. The applicant must print and sign their names along with a date. Likewise the auditor was given a copy of the Promotion Questionnaire that asks the same 3 PREA specific questions along with printed and signed names and dates.

Before hiring new employees who may have contact with inmates, the agency shall:

(1) Perform a criminal background records check; and

(2)

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. The agency shall 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.

The facility policy states that all employees of the Boone County Jail shall be subject to a thorough investigation of his/her background to include:

- Criminal/arrest record
- Medical History
- Employment History
- Educational Background
- Military Background
- Drug Screening

The auditor was presented with a documentation proof of criminal background checks on all current staff within the past 5 years per the standards.

The agency shall also perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates.

Section 5.15, Social Services, stated that the jail and workcamp facilities shall provide educational and self-development opportunities for the inmates. This will be accomplished by providing services through the use of volunteers. It is required that all volunteers be cleared by administration utilizing a background check and PREA training before being authorized to enter. Criminal Background checks will be conducted every 5 years. They must also complete a jail volunteer application packet to be considered for any program or service in the jail or workcamp facility.

Also prior to entering the jail or workcamp, the deputy jailer shall verify that status of the volunteer.

The auditor was provided with documentation of all volunteers who have had a

criminal background check since 2019 to the present.

The agency shall also impose upon employees a continuing affirmative duty to disclose any such misconduct.

Chapter 20, Code of Ethics, states that Employees shall not withhold information which, in doing so, threatens the security of the jail, its staff, visitors, or the community. It also states that all Jail Employees shall report all violations of the code of ethics, Policies and Procedures, Inmate Rules and Regulations to the Shift Commander or the Jailer.

Chapter 21, Sexual Harassment/PREA Guidelines state that any staff, contractor or volunteer being investigated for an accusation of sexual abuse or sexual assault against an inmate will be removed from all duties requiring inmate contact pending the outcome of the investigation.

Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

Chapter 21, Sexual Harassment/PREA Guidelines specifically states that material omissions or materially false information provided on all documentation will be grounds for termination.

Unless prohibited by law, the agency shall 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.

Chapter 15, Staffing, states that The Boone County Jail is required to provide any information relating to a substantiated allegation of sexual abuse or sexual harassment involving a former employee upon receipt of a request from any institutional employer.

The Pre-Employment Questionnaire has been updated to include a section at the bottom that asks specifically about a potential employees conduct at another institution prior to hiring. It requires either a confirmation, denial or is non applicable because the person hasn't worked in any other institutions previously. Staff must print their name, sign it and date it. This will be the practice from this point forward.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	When designing or acquiring any new facility and in planning any

substantial expansion or modification of existing facilities, the agency shall consider the effect of the design, acquisition, expansion, or modification upon the agency’s ability to protect inmates from sexual abuse. When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, the agency shall consider how such technology may enhance the agency’s ability to protect inmates from sexual abuse.

The facility has not designed or acquired any new facilities or planned any substantial expansions or modifications of the existing facilities. This portion of the standard is not applicable.

As of this report, the facility is in the process of installing additional cameras throughout the facility but it is in the beginning stages of wiring. Once the project is complete, they will go from 146 cameras to a total of 278. During the interviews with the PREA Coordinator, Chief Deputy and the Jailer, it was reported that PREA among other safety and security concerns were considered with the decision to move forward with increasing technology within the facility. This will aid in having recorded footage for review when physical visual monitoring was not in those spaces.

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>To the extent the agency is responsible for investigating allegations of sexual abuse, the agency shall follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecution. The protocol shall be developmentally appropriate for youth where applicable, and, as appropriate, shall be 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.</p> <p>The facility does not house youthful offenders, therefore this portion of the standard is not applicable. It should be noted that Chapter 4, Admission, Classification and Release states under subsection E. No person under the age of eighteen shall be admitted to the jail or workcamp. In event it is discovered that a person under the age of eighteen has entered the jail or workcamp, all non-emergent inmate movements shall cease until the person is removed from the secure area of the jail.</p> <p>The auditor was provided with a copy of the Boone County Jail Policies Manual Acknowledgement of Receipt Form for all current employees dated for after</p>

September of 2023.

BCJ 2023 PREA Investigator Training PowerPoint provides step by step instructions as to how evidence is to be collected. It also provides a link to the U.S. Department of Justice's Office on Violence Against Women Publication.

The auditor was provided with a copy of the policy and procedure manual that discusses the responsibilities of health care staff to ensure victims of sexual abuse will receive prompt and appropriate interventions.

To the extent the agency itself is not responsible for investigating allegations of sexual abuse, the agency shall request that the investigating agency follow the requirements of this standard.

The agency shall 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. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The agency shall document its efforts to provide SAFEs or SANEs.

The facility policy adheres to the requirements of this portion of the policy. Interviews with all levels of staff by the auditor confirmed that they understood the expectation and how to carry it out in the event of services being needed.

Services will be provided by the on-call Sexual Assault Nurse Examiner who is assigned to the Emergency Room of St. Elizabeth's Hospital.

The agency shall attempt to make available to the victim a victim advocate from a rape crisis center. If a rape crisis center is not available to provide victim advocate services, the agency shall make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member. Agencies shall document efforts to secure services from rape crisis centers. For the purpose of this standard, a rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault of all ages. The agency may utilize a rape crisis center that is part of a governmental unit as long as the center is not part of the criminal justice system (such as a law enforcement agency) and offers a comparable level of confidentiality as a nongovernmental entity that provides similar victim services.

As requested by the victim, the victim advocate, qualified agency staff member, or qualified community-based organization staff member shall accompany and support the victim through the forensic medical examination process and investigatory interviews and shall provide emotional support, crisis intervention, information, and referrals.

For the purposes of this section, a qualified agency staff member or a qualified community-based staff member shall be an individual who has been screened for appropriateness to serve in this role and has received education concerning sexual assault and forensic examination issues in general.

There is a Memorandum of Understanding (MOU) between the Director of the Women's Crisis Center NKY and the Boone County Jailer dated for 2/7/2020. In this MOU, it states that upon completion of a security background check and PREA training, a volunteer or employee of the Women's Crisis Center will be allowed to visit with inmates and detainees in person at the jail in an effort to offer counseling to the inmate or detainee. It also stated that the two agencies shall work together with facility medical and mental health staff to offer the best possible treatment to any inmate or detainee that reports a sexual assault or sexual harassment incident.

The auditor confirmed that the Women's Crisis Center is now called the Ion Center for Protection. An updated Memorandum, dated 6/22/23 with the signatures of both the Boone County Jailer and the CEO of The Ion Center for Protection was provided to the auditor. They offer free, confidential support and services to victim-survivors of all identities who have experienced power-based personal violence such as sexual violence, intimate partner violence, child abuse, and/or stalking. There are 4 different walk-in locations serving 13 Kentucky counties, including Northern Kentucky, Buffalo Trace, Warsaw and Williamstown. Their website provides distinguishing walk-in hours, contact information for 24 hours hotlines and hyperlinks to social media pages.

This agency works in collaboration with multiple local and national partners such as:

- Kentucky Coalition Against Domestic Violence (KCADV)
- Kentucky Association of Sexual Assault Programs
- United Way Agency Partner

They were recognized as a 2020 Leader in Gender Equity, 2022 Leader in Workplace Equity and 2023 Gold Transparency Candid.

The auditor was provided copies of licenses held by facility mental health providers. She was also given a copy of the job description that lists the expectations of this standard.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The agency shall ensure that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.

The facility policy and procedure manual clearly states that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. It provides step by step standard operating procedures for staff's expectations once being made aware of the allegations. The location of the event is not a deciding factor as there are processes in place if it took place in a different correctional facility. It is the responsibility of the department head to notify the department head of the secondary organization upon notification.

Subsequently there have been 7 allegations within the past 12 months that all received a thorough investigation. The auditor was able to review all documentation, camera footage or any other evidence used to determine if the preponderance of the evidence is cause to be a criminal investigation launched or a substantiated claim.

The agency shall have in place a policy 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. The agency shall publish such policy on its website or, if it does not have one, make the policy available through other means. The agency shall document all such referrals.

The facility policy states that if the shift supervisor determines that there is a crime scene within the facility, it shall be secured and Boone County Sheriff's Department shall be called in.

If a separate entity is responsible for conducting criminal investigations, such publication shall describe the responsibilities of both the agency and the investigating entity. Any State entity responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations. Any Department of Justice component responsible for conducting administrative or criminal investigations of sexual abuse or sexual harassment in prisons or jails shall have in place a policy governing the conduct of such investigations.

The auditor was presented with a Memorandum of Understanding for Sexual Assault/ Abuse Investigations conducted on behalf of Boone County Jail. It is dated 6/21/23 and has the signature of both the Sheriff and the Jailer. It provides the responsibilities of both parties in the event of allegations requiring a criminal investigation.

Initially there was no MOU in place between Boone County Jail and the Sheriff because it was an unspoken agreement that any criminal investigations would be handled by the Sheriff's Department. During the corrective action period, this document came to fruition and is now in writing.

Prior to the corrective action launch, the facilities PREA policy was not online. Now there is a summary of the policy that provides contact information for making a report of allegations.

	The facility website provides PREA reports as well as a summary of the PREA policy providing contact information for making a report.
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115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The agency shall train all employees who may have contact with inmates on:</p> <ul style="list-style-type: none"> (1) Its zero-tolerance policy for sexual abuse and sexual harassment; (2) How to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures; (3) Inmates’ right to be free from sexual abuse and sexual harassment; (4) The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; (5) The dynamics of sexual abuse and sexual harassment in confinement; (6) The common reactions of sexual abuse and sexual harassment victims; (7) How to detect and respond to signs of threatened and actual sexual abuse; (8) How to avoid inappropriate relationships with inmates; <li style="text-align: right;">(9) <p>How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and</p> <ul style="list-style-type: none"> (10) How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. <p>Such training shall be tailored to the gender of the inmates at the employee’s facility. The employee shall receive additional training if the employee is reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa.</p> <p>The auditor was provided a copy of the BCJ PREA Training PowerPoint Presentation. There are 69 slides with information pertaining to PREA, the expectations and requirements for any employee of the facility.</p> <p>During all staff interviews, they were able to provide feedback as to the information relayed in the training and how it is applicable in their day to day duties.</p> <p>All current employees who have not received such training shall be trained within one year of the effective date of the PREA standards, and the agency shall 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. In years in which an employee</p>

	<p>does not receive refresher training, the agency shall provide refresher information on current sexual abuse and sexual harassment policies. The agency shall document, through employee signature or electronic verification, that employees understand the training they have received.</p> <p>The auditor was provided a copy of all staff signed and dated acknowledgements of training.</p>
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115.32	Volunteer and contractor training
	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p> <p>The agency shall ensure 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. 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, but all volunteers and contractors who have contact with inmates shall be notified of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents.</p> <p>The auditor was provided a copy of the Volunteer Packet. It is an 8 page document that includes:</p> <ul style="list-style-type: none"> • Jailer Memorandum, dated 10/8/19 • Boone County Jail Rules and Regulations for Volunteers • Liability Waiver • Boone County Jail Volunteers Security Information • Boone County Jail Volunteer PREA Training • Background Check Instructions • Administrative Office of the Courts Records Unit <p>The agency shall maintain documentation confirming that volunteers and contractors understand the training they have received.</p> <p>The auditor was able to secure signed and dated copies of the Boone County Jail Volunteer PREA Training Documents going back as far as 2018. It has the printed name and signature of the volunteer as well as the instructors signature. The form explains what PREA is and how the Jail responds to allegations. The second half of the form is a reporting requirement acknowledgement that proves they have been made aware and understand the expectations.</p> <p>Prior to the corrective action period, the auditor received blank copies of the volunteer/contractor forms but none were signed and dated. Those forms were</p>

	provided.
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115.33	Inmate education
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>During the intake process, inmates shall receive information explaining the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. Within 30 days of intake, the agency shall provide comprehensive education to inmates either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding agency policies and procedures for responding to such incidents.</p> <p>The agency shall maintain documentation of inmate participation in these education sessions. In addition to providing such education, the agency shall ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats.</p> <p>Whenever an intake is received, regardless of if it is their first time or if they are coming from another facility, they all go through the same booking process. Immediately upon entry, they are subjected to a standard operating procedure referred to as "pre-book". This task is completed by deputies and is done both verbally and in writing. There is PREA Regulation form hanging on the windows that all new intakes are expected to read or have read to them.</p> <p>As each assessment is completed, it is logged into a an electronic data bank with time and date stamp as well as a place for the inmate and the deputy to sign. The auditor received a copy of this report for the previous 12 months.</p> <p>During the onsite portion of the audit, the auditor was made aware of the TV loop that presents information to the residents on a 24 hour rotation in each pod. The loop is a multilingual powerpoint presentation. The information provided is about PREA an any other situation that may arise in which an inmate needs to know their rights.</p> <p>Current inmates who have not received such education shall be educated within one year of the effective date of the PREA standards, and shall 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.</p> <p>This portion of the standard is not applicable since all intakes go through the pre-book and secondary booking process.</p>

	<p>The agency shall provide inmate education in formats accessible to all inmates, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills.</p> <p>The facility has access to a language service that provides interpretation and translation services upon request. Because all steps of this process include a verbal component, this would aid in those who may have limited reading skills and or visual impairments.</p> <p>The inmates are given written documentation that is readily available in both English and Spanish on PREA. This provides another resource for education and is signed by both the staff providing it and the inmate receiving it. When printed it provides dates and times of the interaction.</p> <p>There are posters in the entryway with more PREA information.</p> <p>The auditor saw the TV loops but had not received a copy of the materials being presented. Following the corrective action period, that was resolved.</p>
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115.34	Specialized training: Investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>In addition to the general training provided to all employees pursuant to § 115.31, the agency shall ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators have received training in conducting such investigations in confinement settings. 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.</p> <p>The agency shall maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations.</p> <p>The auditor received copies of certificates of completion for 6 staff for the following courses:</p> <ul style="list-style-type: none"> • PREA Investigator Course

- The Reid Technique of Interviewing and Interrogation
- Advanced Course on The Reid Technique of Interviewing and Interrogation

Some staff received training through KY DOC Central Region Training Center as well.

There are different levels of training, so staff may not have been certified in each area. Some staff were certified by a previous training that is no longer available, but they are trained in the most recent curriculum as well.

Any State entity or Department of Justice component that investigates sexual abuse in confinement settings shall provide such training to its agents and investigators who conduct such investigations.

The auditor did not receive training documentation for Boone County Sheriff Deputies that would conduct investigations on behalf of Boone County Jail; however the MOU between the agency's clearly outlines that only qualified deputies will be allowed to conduct the investigations.

Initially, the auditor had training certifications for some staff but not all and it wasn't explained why they had different types of training. Also there was no proof that Sheriff Deputies understood and had the proper training to conduct an investigation. Both of these concerns were corrected during the corrective action period.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The agency shall ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in:</p> <ol style="list-style-type: none"> (1) How to detect and assess signs of sexual abuse and sexual harassment; (2) How to preserve physical evidence of sexual abuse; (3) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and (4) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <p>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>If medical staff employed by the agency conduct forensic examinations, such medical staff shall receive the appropriate training to conduct such examinations.</p>

	<p>Forensic exams are not completed by the medical staff of Boone County Jail. Sexual Assault Nurse Exams would be conducted by staff of St. Elizabeth's Florence Hospital.</p> <p>The agency shall maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere.</p> <p>There are a total of 15 staff that are either medical or mental health practitioners for the facility. The auditor received the New Hire Training Documentation including the curriculum and a copy of the Biannual PREA Refresher Training for each staff. All documentation included signatures and dates.</p> <p>Prior to the corrective action period, the auditor didn't have all of the signed training documentation for medical and mental health practitioners but she does now.</p>
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115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>All inmates shall be assessed during an intake screening and upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates. Intake screening shall ordinarily take place within 72 hours of arrival at the facility. Such assessments shall be conducted using an objective screening instrument.</p> <p>The intake screening shall consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization:</p> <ol style="list-style-type: none"> (1) Whether the inmate has a mental, physical, or developmental disability; (2) The age of the inmate; (3) The physical build of the inmate; (4) Whether the inmate has previously been incarcerated; (5) Whether the inmate's criminal history is exclusively nonviolent; (6) Whether the inmate has prior convictions for sex offenses against an adult or child; (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; (8) Whether the inmate has previously experienced sexual victimization; (9) The inmate's own perception of vulnerability; and (10) Whether the inmate is detained solely for civil immigration purposes. <p>The initial screening shall consider prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to the agency, in assessing inmates for risk of being sexually abusive. Within a set time period, not to exceed 30 days from the</p>

inmate's arrival at the facility, the facility will reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening.

The classification process for the institution begins with the pre-booking standards. Section 4.06 entitled Classification Policy and Procedure provides a more in-depth explanation as to how it is to be carried out. It clearly states that there shall be no discrimination by race, color, creed, sex or national origin and that the purpose is to determine housing assignments and work and program eligibility.

As previously discussed, all inmates entering the jail regardless of if its their first time or if they were transferred from another institution, they all must undergo this step. After being provided information about PREA during the pre-book stage, they are immediately asked a series of questions that are based on standards and requirements by the Department of Justice, Federal Government, Immigration and Customs Enforcement, State Department of Correction and Local Government.

It is an electronic questionnaire that is used to determine the need for referrals or additional resources on a case by case basis as inmates enter the facility. This allows for immediate evaluations by medical and mental health staff or for housing decisions to be made as well as identifying if they would fit the criteria for vulnerable populations.

As the deputy reads the questions, they log in the answers and depending on the response, the questionnaire gives instructions such as:

- continue with questionnaire;
- ask a follow up question to the original question;
- notify a supervisor; and,
- house in specific areas.

If an inmate answers yes to any of the weighted questions, the rest of the assessment is null and void and they are immediately turned over to a supervisor for the next step. All of this is being logged in live time with the deputy conducting the interview, date, time and inmate.

Referrals to medical are to ensure that appropriate housing is selected based on the mental health of the individual. The Jail reserves the right to override medicals decision and house them in segregation or general population.

Within 72 hours of arrival, the inmate goes through a secondary booking that is very similar to the pre-book process except it is completed by the supervisor and not a deputy.

Colored wristbands signify classification level and the policy explains what each means specifically for the inmate and the staff. They are broken down as

- restricted movement
- segregation
- maximum
- controlled custody
- general population
- eligible for work camp

Interviews of the residents provided differing opinions about this process and if they received proper education. Some admitted to being under the influence of a mood-altering substance and not recalling any of the intake process. Some were able to easily identify the process and the components thereof. There was a group who reported knowing about PREA from a previous institution but not from their current incarceration period. In all of these categories, the consensus was that they were not concerned about their sexual safety and really didn't need to be educated on PREA.

Because of this, the auditor was provided a copy of all the PREA education electronic reports for the past 12 months and they were there and intact.

An inmate's risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

The agency has built in reclassification timelines based on the level in which the inmate is assigned. At minimum, inmates in the general population are reclassified every 90 days. Those in maximum and controlled custody are reclassified at least every 30 days. Those in segregation are reclassified every 7 days for the first 30 days and then every 10 days thereafter. This is documented in the classification policy.

Inmates may not be 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.

Section 4.05, Booking Policy and Procedure states that no inmate shall be punished for refusing to answer the questions during booking or security clarification. It then lists 4 specific questions.

The agency shall implement appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates.

Currently because all of the staff are cross trained, they all are able to access the results of the classification reviews. Chapter 20, Code of Ethics gives a listing of behaviors that jail staff are not to exhibit or participate in. It states that anyone found to be in violation will result in documentation from the Shift Commander or Jailer and be subject to disciplinary action and will be made a part of the employee's permanent

	<p>personnel file.</p> <p>Prior to the corrective action period, there was no language for staff to know that a resident has the right to refuse to answer questions. This was something that was understood by staff during the interviews but wasn't in writing. That has since been corrected.</p> <p>Also the policy had to be updated to have the language about staff divulging personally protected information since everyone has access to the files.</p>
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115.42	Use of screening information
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>The agency shall use information from the risk screening required by § 115.41 to inform housing, bed, work, education, and program assignments with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive. The agency shall make individualized determinations about how to ensure the safety of each inmate.</p> <p>In deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the agency shall consider on a case-by-case basis whether a placement would ensure the inmate’s health and safety, and whether the placement would present management or security problems.</p> <p>Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates.</p> <p>The classification policy clearly states that for the preservation of security and the order of the jail and workcamp facilities, its staff and inmates, every inmate will have a booking classification completed upon admission to the facility and shall be assigned housing according to an Objective Jail Classification System. Inmates who are transgender or intersex, at risk of sexual victimization or being sexually abusive will have their housing determined on a case-by-case basis. Transgender and intersex inmates shall be allowed to shower separately from other inmates.</p> <p>The auditor was provided a copy of the blank Objective Jail Classification System Questionnaire as well as three completed ones. It was also explained to her the process in which the electronic completion of the form occurs and how decisions are made.</p> <p>Placement and programming assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats to</p>

safety experienced by the inmate.

The classification policy has automatic reclassification standards built in. General Population is reclassified every 90 days, Maximum and Controlled Custody is every 30 days and Segregation is once every 7 days for the first 30 days and then it is every 10 days thereafter. So no matter how a transgender or intersex inmate is classified, they will be reviewed on a frequent basis which is more than the standard requires.

A transgender or intersex inmate's own views with respect to his or her own safety shall be given serious consideration. The agency shall not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates.

Section 4.06, Classification Policy and Procedure states that a transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration.

It also states that inmates who self-identify as being in the LBGTQ+ community shall not be housed in dedicated cells or blocks solely based on such identification.

Prior to the corrective action period, the language in the above section wasn't present. The auditor was able to see that this was the practice after observing and interviewing inmates and staff, but it wasn't in writing. Now it is there.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Inmates at high risk for sexual victimization shall not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If a facility cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.</p> <p>Inmates placed 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:</p> <p>(1) The opportunities that have been limited;</p>

- (2) The duration of the limitation; and**
- (3) The reasons for such limitations.**

The facility shall assign such inmates to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged, and such an assignment shall not ordinarily exceed a period of 30 days.

Section 4.06, Classification Policy and Procedure provides feedback on how this standard is conducted procedurally. There is a wristband color coded classification level. There are 6 different wristbands with different definitions as to which inmate is to wear it. This information is provided through a color coded diagram.

This policy stated that involuntary segregation shall be a last resort with the understanding that as soon as a non-segregated placement is available, they shall be moved. It also stated that segregated classified inmates are placed in single cell housing with segregated programming and privilege eligibility with the exception of inmates who are assigned by disciplinary review.

If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, the facility shall clearly document:

- (1) The basis for the facility's concern for the inmate's safety; and**
- (2) The reason why no alternative means of separation can be arranged.**

Per Section 4.06, Classification Policy and Procedure, the classification officer shall include detailed documentation to support placement into involuntary segregation and why non-segregated housing was not an option at that time.

The auditor was provided a copy of segregation notes conducted on an inmate and each has a conclusion as to why the person will remain in that classification.

Every 30 days, the facility shall afford each such inmate a review to determine whether there is a continuing need for separation from the general population.

The agency has built in reclassification timelines based on the level in which the inmate is assigned. Segregation classified inmates shall be reviewed within 72 hours of movement to a segregation cell. If the placement shall go beyond the 72 hour period, they are then reclassified every 7 days for the first 30 days and then every 10 days thereafter. This is documented in the classification policy.

Prior to the corrective action period, it was observed by the auditor and shared during interviews that the agency had expectations for how segregation was to be addressed for both PREA allegations as well as any other process within the jail. The issue was that it wasn't in writing as necessary to meet the expectations of the standard. It has since been corrected.

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(a) The agency shall provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.</p> <p>The PREA Regulation form says that if an inmate is assaulted in any manner including sexual harassment or sexual assault, they can immediately notify a deputy jailer who will contact the shift supervisor to begin an investigation. The notification to a deputy can be done verbally, by utilizing an Inmate Information Request Form or picking up the inmate phone receiver and dialing *19. This form is readily available in Spanish as well.</p> <p>Section 5.04 PREA Regulation states that anyone who has experienced retaliation from staff or inmate for making a report, or believe staff neglect or violation of responsibilities led to such an incident can report it to a deputy jail who will then notify the shift supervisor to begin an investigation.</p> <p>The agency shall also provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request. Inmates 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.</p> <p>The PREA Regulation form states that an inmate may make a report of sexual abuse or sexual harassment to the Rape Crisis Center by dialing *40. Reports of abuse to the Rape Crisis Center will be forwarded to authorities in accordance with mandatory reporting laws unless you request otherwise. This form is readily available in Spanish as well.</p> <p>The MOU between the jail and The ION Center provides specific responsibilities for each office. The jail acknowledges that the ION Center is a point of contact for reports outside of the agency. The Ion Center agrees to accept the calls and reports and provide support and advocacy.</p> <p>The powerpoint loop on the television in the pods provides specific information to the inmates who are flagged for ICE.</p> <p>Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.</p>

	<p>Notification to deputies to launch an investigation can be done verbally or by utilizing an Inmate Information Request Form. The PREA policy specifically states that a report can be accepted by anyone and this would include both anonymous and third party reports. It then states that a report will be written for any verbal allegations.</p> <p>The facility website also provides contact information for third parties to make a report for investigation.</p> <p>The agency shall provide a method for staff to privately report sexual abuse and sexual harassment of inmates.</p> <p>Staff may privately report any incidents of sexual abuse or sexual harassment of inmates by verbally reporting the incident directly to administration staff or in writing by placing the document in the safe located in booking.</p>
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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>(a) An agency shall be exempt from this standard if it does not have administrative procedures to address inmate grievances regarding sexual abuse.</p> <p>(b)(1) The agency shall not impose a time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse.</p> <p>(2) The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.</p> <p>(3) The agency shall not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.</p> <p>(4) Nothing in this section shall restrict the agency’s ability to defend against an inmate lawsuit on the ground that the applicable statute of limitations has expired.</p> <p>(c) The agency shall ensure that—</p> <p>(1) An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and</p> <p>(2) Such grievance is not referred to a staff member who is the subject of the complaint.</p> <p>(d)(1) The agency shall 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.</p> <p>(2) Computation of the 90-day time period shall not include time consumed by inmates in preparing any administrative appeal.</p> <p>(3) The agency may claim an extension of time to respond, of up to 70 days,</p>

if the normal time period for response is insufficient to make an appropriate decision. The agency shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.

(4) At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.

(e)(1) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of inmates.

(2) 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.

(3) If the inmate declines to have the request processed on his or her behalf, the agency shall document the inmate's decision.

(f)(1) The agency shall establish procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse.

(2) After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, the agency shall 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, shall provide an initial response within 48 hours, and shall issue a final agency decision within 5 calendar days. The initial response and final agency decision shall document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

(g) The agency may discipline an inmate for filing a grievance related to alleged sexual abuse only where the agency demonstrates that the inmate filed the grievance in bad faith.

Initially the Grievance Policy provided to the auditor did not speak about PREA at all. The all encompassing grievance policy was submitted and since there was no specific language to say that the policy applies in PREA situations as well, the auditor requested the policy be updated to prove inclusivity for these types of complaints and allegations. Upon completion of the corrective action period, it has been updated to reflect the right language. The auditor received the signed and dated policy acknowledgements since these updates were instituted.

Section 5.05, Grievance Procedure for General Complaints gives permissions as to how an inmate is to use the grievance system to make a PREA report. It states that the grievance can be done by the person, third party, another inmate, staff, attorneys and group advocates. Inmates are allowed to notify staff in writing however it is not

	<p>the expectation to turn it into a staff that may be the subject of the allegations.</p> <p>It states that all grievances will be answered within 5 days and in the case of any grievance alleging sexual abuse or harassment, it shall be acted upon immediately.</p> <p>A grievance related to a PREA violation may be submitted by a third party on behalf of an inmate if that inmate agrees to the grievance being filed on their behalf. If the inmate declines to have the grievance filed on their behalf, this shall be documented by the shift supervisor.</p>
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115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility shall 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, and, for persons detained solely for civil immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.</p> <p>The PREA Regulation Form that is translated in Spanish from English and is accessible by all inmates provides a code to call the Rape Crisis Center from the assigned housing units. There are Sexual Assault Reporting flyers and trifolds in both English and Spanish that provide contact information for outside services. There is a specific trifold that is directed to the inmates who are flagged as an ICE detainee.</p> <p>The ICE trifold tells the inmates that they have the right to make a report anonymously or through the use of a third party. It even addresses the question of whether an inmates immigration case would be affected if they make a report as retaliation. The pamphlet says that no one can retaliate against an inmate in any way for reporting sexual abuse or assault. It states that information concerning the inmates identity and the facts of their report will be limited to only those who need to know.</p> <p>The inmate trifold discusses confidentiality in that information will be limited to only those who need to know.</p> <p>(b) The facility shall 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.</p>

	<p>The 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. The agency shall maintain copies of agreements or documentation showing attempts to enter into such agreement.</p> <p>The MOU between Boone County Jail and the Women's Crisis Center NKY states that the purpose is to assure a unified effort between the entities involved to provide inmates and detainees with confidential emotional support services and the ability to anonymously report incidents of sexual assault and sexual harassment to an outside agency.</p> <p>The MOU between Boone County Jail and the ION Center states that BCJ will provide adequate meeting space where sufficient confidentiality can be maintained during the counseling sessions with The ION Center. Any written correspondence between the two agencies shall be considered "legal mail" and subject to facility policy. BCJ staff will also provide personnel to be present if requested by ION Center staff to ensure the safety and security of all involved.</p> <p>The ION Center will maintain confidentiality as required by state and federal laws for rape crisis personnel and as required by KDOC Policy and Procedure presented during certified volunteer training. Any ION Center staff that will provide services must complete the KDOC volunteer training.</p>
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115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The agency shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.</p> <p>The facility website has a Related Pages section and in the jail information, there is a PREA dropdown box. It is publicly accessible and says to report an incidence of sexual abuse or assault on behalf of an inmate, please contact the shift supervisor by calling 859 334 2143. The auditor called this number and confirmed that it connects the caller to the Boone County Jail.</p> <p>The PREA policy states that once a shift supervisor is made aware of allegations of abuse or harassment that an investigation shall be launched.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard

Auditor Discussion

The agency shall 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; retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation.

Section 5.04, PREA Regulation requires that any employee of Boone County Jail must report immediately any knowledge, suspicion or information regarding an incident of sexual abuse or sexual harassment. This includes retaliation or staff negligence or violation of policies that may have contributed to the events occurrence.

Apart from reporting to designated supervisors or officials, staff shall not reveal 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.

The 2022 Personnel Policy states in the section identified as Code of Ethics that all employees conduct their personal and professional lives in a manner that preserves the security and rights of the inmates and staff of the jail. Hence, employees shall not: Engage in critical discussion of staff members or inmates in the presence of inmates, divulge confidential information without proper authorization and Inquire about, disclose, or discuss details of an inmate's crime other than as may be necessary in performing official duties.

Through multiple documents, it is stated that information will only be shared with persons who need to know otherwise it is considered a code of ethics breach and subject to disciplinary action.

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

Response of Sexual Abuse, 6.066 provides the expectations for healthcare staff once allegations have been made. All healthcare staff will immediately report an allegation of sexual abuse to the shift supervisor.

If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, the agency shall report the allegation to the designated State or local services agency under applicable mandatory reporting laws.

	<p>This portion of the standard is not applicable as no one under the age of 18 is housed within the facility.</p> <p>The facility shall report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators.</p> <p>All reports of sexual abuse or sexual harassment are forwarded to the shift supervisor for the purpose of launching an investigation.</p> <p>Prior to the corrective action period, there was no language that included the responsibilities of medical and mental health practitioners for the facility and their obligations following an allegation of abuse. The policy has since been updated to reflect compliance with this portion of the standard.</p>
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115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>When an agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, it shall take immediate action to protect the inmate.</p> <p>Section 5.04 PREA Regulation states that if anyone reports an incident of sexual abuse or sexual harassment to a staff member, or a staff member learns of an inmate in imminent danger of sexual victimization, a supervisor shall be notified immediately.</p> <p>The auditor was provided a copy of an incident report wherein an inmate notified staff that he was at risk of imminent sexual abuse and a chronological summary of all steps taken to ensure the safety of the alleged victim.</p> <p>Prior to the corrective action period, the facility was able to provide documentation that proved they were following the guise of this standard, however it was not written. It has since been added to the policy and is no longer a spoken rule only.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Upon receiving an allegation that an inmate was sexually abused while

confined at another facility, the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. Such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation. The agency shall document that it has provided such notification.

The PREA Policy states specifically that if reported allegations of sexual abuse or sexual harassment occurred while the inmate was confined at another facility, the Jailer or his designee, shall notify the head of the agency where the alleged abuse occurred, as soon as possible but no later than 72 hours. An incident report shall be written on all reported accusations and verification of contact with the other agency noted.

The facility provided a written report from September of 2022 wherein a recent intake reported allegations of abuse at a secondary agency. The report gave a chronological account of the chain of events as they happened, names and titles of staff and what the outcomes were. Boone County Jail collected as much physical evidence as was available and made all of those items accessible to the corresponding agency.

Because the PREA policy didn't have the specified language as described in the standard, the auditor requested that it be updated. It is the stance of Boone County Jail that anytime their policy uses the term "anyone", it covers other agencies, attorneys, cellmates, volunteers, staff, police departments, sheriff departments, deputy jailers, medical staff, mothers, fathers, siblings etc. It is their stance that if they start naming people, someone may be forgotten or the list could go on forever.

The facility head or agency office that receives such notification shall ensure that the allegation is investigated in accordance with these standards.

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Upon learning of an allegation that an inmate was sexually abused, the first security staff member to respond to the report shall be required to:</p> <ul style="list-style-type: none">(1) Separate the alleged victim and abuser;(2) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence;(3) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate,

washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating; and

(4) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

The PREA policy specifically outlines actions to be taken by security staff members who are the first to respond to allegations of sexual abuse.

Interviews with staff confirmed that they are aware of these expectations and that they understand the process and need to be detail oriented to avoid further victimization and the destruction of biological and physical evidence. There are also processes in place for an facility medical staff to determine if there is a need to transport to St. Elizabeth's Hospital in Florence for a sexual assault nurses exam.

If the first staff responder is not a security staff member, the responder shall be required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff.

The same expectations that exist for security staff is extended to any Boone County Jail employee, volunteer or contractor. The PREA policy requires that all staff know to follow the step by step instructions to keep the inmates safe following a report. This information is also addressed during PREA training and refresher training.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility shall develop a written institutional plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and mental health practitioners, investigators, and facility leadership.</p> <p>Multiple facility specific policies or memorandums of understanding with community partners outline how each agency is to respond for coordinated actions. It is understood that at the conclusion of an investigation, a sexual abuse incident review shall be conducted by team members including the Jailer, PREA Compliance Manager, PREA Coordinator, Chief Deputy, HSA, and the Mental Health Counselor. It shall be conducted within 30 days of the conclusion of the investigator and a report of findings shall be submitted to the Jailer and PREA Compliance Manager.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Neither the agency nor any other governmental entity responsible for collective bargaining on the agency’s behalf shall enter into or renew any collective bargaining agreement or other agreement that limits the agency’s ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.</p> <p>Nothing in this standard shall restrict the entering into or renewal of agreements that govern:</p> <p>(1) The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions of §§ 115.72 and 115.76; or</p> <p>(2) 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>This standard is not-applicable as there are currently no collective bargaining contracts in place, therefore compliance is met.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The agency shall establish 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, and shall designate which staff members or departments are charged with monitoring retaliation.</p> <p>Prior to the corrective action period, the auditor was presented with a policy that was a regurgitation of the standards and did not explain how they would accomplish the requirements as written. The policy has now been updated to add more details and points of contact.</p> <p>Section 5.04 PREA Regulation is a 3 page PREA policy that is to be used as proof of compliance with this standard.</p>

The agency shall 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.

Alleged victims shall only held in segregation no more than five days during the investigation except for extenuating circumstances or if requested by the alleged victim. The goal is to use the jail's classification system to determine appropriate housing for the individual.

For at least 90 days following a report of sexual abuse, the agency shall monitor the conduct and treatment of inmates or staff who reported the sexual abuse and 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, and shall act promptly to remedy any such retaliation. Items the agency should monitor include any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The agency shall continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.

In the case of inmates, such monitoring shall also include periodic status checks.

The PREA Compliance Manager shall monitor the conduct and treatment of inmates who reported sexual abuse or cooperated in the investigation to see if there are changes which may suggest possible retaliation by inmates or staff and shall act promptly to remedy any such retaliation. This monitoring can be accomplished by reviewing the inmate's incidents, logs, and speaking to the inmate or staff member. If retaliation is discovered or if the PREA Compliance Manager deems it necessary, this monitoring will be continued past the initial 90 day period.

If any other individual who cooperates with an investigation expresses a fear of retaliation, the agency shall take appropriate measures to protect that individual against retaliation.

The PREA Policy stated that if an inmate feels they were assaulted in any manner, including a sexual assault or sexual harassment, experienced retaliation from staff or inmate for making a report, or believe staff neglect or violation of responsibilities led to such an incident, they need to immediately notify a deputy jailer who will contact the shift supervisor to begin an investigation.

An agency's obligation to monitor shall terminate if the agency determines that the allegation is unfounded.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of § 115.43.</p> <p>As previously mentioned, Section 4.06, Classification Policy and Procedure provides guidance as to the use of segregated housing for protection involuntarily. It is the last resort to place an alleged victim into segregation but if it can't be avoided, they are still to have access to programming and other privileges so it isn't being treated as a sanction. Also classification reviews are done consistently to ensure that if safe housing becomes available, they are immediately transferred back to general population.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>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.</p> <p>Administrative investigations:</p> <p>(1) Shall include an effort to determine whether staff actions or failures to act contributed to the abuse; and</p> <p>(2) Shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.</p> <p>The facility PREA policy aligns with the expectations of this portion of the standard. In previous standards, it has already been confirmed that the expectations exist, staff are trained and know their responsibilities and application of training has been exhibited.</p> <p>An incident report will be completed on all reported incidents of sexual abuse or sexual harassment as soon as practical following the incident. This report shall be supplied to any agency housing inmates at the Boone County Jail. These agencies will also be contacted by phone on all reported incidents of sexual abuse or sexual harassment involving their inmates.</p> <p>Where sexual abuse is alleged, the agency shall use investigators who have received special training in sexual abuse investigations pursuant to § 115.34. Investigators shall gather and preserve direct and circumstantial</p>

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.

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. 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. 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. Substantiated allegations of conduct that appears to be criminal shall be referred for prosecution.

Any State entity or Department of Justice component that conducts such investigations shall do so pursuant to the above requirements. When outside agencies investigate sexual abuse, the facility shall cooperate with outside investigators and shall endeavor to remain informed about the progress of the investigation.

The auditor was given a Memorandum of Understanding between the Boone County Jailer and the Boone County Sheriff. The document is dated 6/21/23. In it is an explanation of what each department is responsible for doing upon being made aware of allegations of sexual abuse. It states that Boone County Jail will only conduct an administrative investigation to the degree necessary to determine that it needs a criminal investigation.

It also states that the Sheriff will ensure that sex crimes investigators have received all of the proper training to complete the investigation. The Sheriff's office is responsible for reporting, interviewing, collecting and securing evidence in accordance with established procedures. The Sheriff's Public Information Officer (PIO) is responsible for all media inquiries and release regarding the alleged incident and no comment will be made without the approval of the PIO. In the event that the Sheriff's Office would have an actual or potential conflict of interest with conducting the investigation, they will contact an independent law enforcement agency with appropriate jurisdiction to conduct the investigation.

Jail medical personnel will provide medical treatment as necessary but will not conduct a forensic exam which is to be completed at the hospital.

The jail and its personnel will fully cooperate with the Sheriff Investigators and their requests for information and/or evidence. A command level jail deputy will be assigned as the point of contact for the investigators to streamline the process and keep information on a need to know basis.

	<p>The agency shall retain all written reports referenced above for as long as the alleged abuser is incarcerated or employed by the agency, plus five years. 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.</p> <p>Initially, the auditor was given a copy of a policy that was a regurgitation of the standards and the original MOU did not have the language required to prove that each department understood their role during a criminal investigation. Following the corrective action period, the MOU has details and expresses how each department will respond.</p> <p>All investigation reports shall be maintained for five years after the inmate and/or staff member has been left the facility or agency. The departure of the alleged abuser or victim from employment or confinement of the facility or agency shall not provide a basis for terminating an investigation.</p>
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115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The agency shall impose no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>The facility policy specifically states that the preponderance of the evidence is the standard to which determination of occurrence shall be decided.</p> <p>The auditor was provided copies of investigations from calendar years 2021, 2022, and 2023. Each investigation had time and date stamped notes that also identified the writer. Any emails, camera footage or other evidence used to impose the standard of a preponderance of the evidence was also included. Examples were even provided for events that took place in other correctional facilities but were reported to Boone County Jail staff.</p> <p>Prior to the corrective action period, all the auditor received was a police which was a regurgitation of the standards. She was then presented with the full investigation files for all allegations for the past 3 years. This documentation provided the proof that the standard and policy were being followed as written.</p>

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard

Auditor Discussion

Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, the agency shall inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. If the agency did not conduct the investigation, it shall request the relevant information from the investigative agency in order to inform the inmate.

The auditor was presented with the full investigation files of any allegations made since 2021. This not only included allegations for events within Boone County Jail but also for events that took place in secondary locations that required notification and follow-up.

Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the agency shall subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever:

- (1) The staff member is no longer posted within the inmate's unit;**
- (2) The staff member is no longer employed at the facility;**
- (3) The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or**
- (4) The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.**

Following an inmate's allegation that he or she has been sexually abused by another inmate, the agency shall subsequently inform the alleged victim whenever:

- (1) The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or**
- (2) The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.**

All such notifications or attempted notifications shall be documented. An agency's obligation to report under this standard shall terminate if the inmate is released from the agency's custody.

Boone County Jail provided a copy of a completed sexual abuse allegation that was investigated. The 3 page report provides all of the information required to be included in a report to make the determination as to whether the incident was substantiated, unsubstantiated or unfounded. The report states that the victim was notified of the unsubstantiated conclusion.

There were examples of substantiated or unsubstantiated conclusions for sexual harassment as well. In all of the reports, the conclusion is noted and the inmate involved was notified regardless of the outcome.

Prior to the corrective action period, the auditor had not received the entire investigation files based on the number that was mentioned in the comment box of

	<p>the audit by the facility. Since that time, all documentation and evidence has been secured by the auditor and shows the application of the standards during an investigation.</p>
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115.76	Disciplinary sanctions for staff
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies.</p> <p>Termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse. Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (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.</p> <p>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, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p>Initially, the policy in place did not address this specific caveat. The updated Personnel Policy provides the expectation as written in the standards and the auditor has received a copy of all current staff's acknowledgement of the policy update and its expectations.</p>

115.77	Corrective action for contractors and volunteers
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. The facility shall take appropriate remedial measures, and shall consider whether to prohibit further contact with inmates, in the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer.</p>

	<p>The auditor was provided a Memorandum from the Lt to Boone County Jail Volunteers dated for 9/29/23. It states that since 2/1/96, all volunteers entering the jail must first pass a security clearance and be photographed. Volunteers are instructed to complete the security clearance paperwork, PREA training acknowledgement and return to the jail for proper authorization. Once a criminal background investigation is completed, the volunteer will be photographed for identification purposes. It then shares that if there is ever a violation of PREA policy that the ability to volunteer shall be terminated and subject to criminal investigation.</p> <p>Originally the policy didn't require that any contractor or volunteer found to have committed sexual abuse will be reported to any relevant licensing bodies in addition to the Boone County Sheriff Department. That has since been corrected and staff are aware of the expectation per their signed policy acknowledgements.</p>
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115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Sanctions shall be 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. The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed.</p> <p>The auditor was provided a listing of the different categories of offenses and penalties under Section 7.02, Discipline. This is directly from the policies and procedure manual. There are 7 categories broken down based on whether it is a minor or major violation. Each violation shows the minimum and maximum penalties for a guilty finding.</p> <p>There are multiple violations that could be used in the event of a PREA and the minimum penalty for each is assignment to disciplinary segregation for a maximum of fifteen (15) days, each incident and a maximum penalty of housed in segregation unit a maximum of 60 days and then reclassified.</p> <ul style="list-style-type: none"> • Category 6:I Inappropriate sexual behavior with another person. • Category 7:A Assault or physical action against an employee or non-inmate • Category 7:B Assault or force resulting in the death or serious injury of another inmate

- Category 7:C Sexual assault
- Category 7:D Assault or physical action resulting in the death or injury of an employee or non-inmate

Within the policy, it provides a procedural explanation of how the disciplinary process is to occur. It provides a caveat that if an investigation is warranted, discipline will not be dispensed until it is complete. It also provides a list of 16 privileges that are not to be denied as the result of disciplinary measures, including all basic rights for a human.

If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, the facility shall consider whether to require the offending inmate to participate in such interventions as a condition of access to programming or other benefits.

This portion of the standard is not applicable as the facility doesn't provide therapy, counseling or other interventions for abuse perpetrators.

The agency may discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.

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

The PREA Regulation policy states that if an inmate knowingly or willfully makes a false report, they may face disciplinary or criminal charges. It also states that punishment for an inmate shall only be instituted if the contact with an employee, contractor or volunteer was not consented to by those parties.

Penalties shall be in accordance with the facility guidelines and shall be commensurate to the infraction(s) violated. If the inmate is known to have or has given reason to believe they suffer from mental disabilities or illness this shall be taken into account when deciding what disciplinary actions will be taken.

An agency may, in its discretion, prohibit all sexual activity between inmates and may discipline inmates for such activity. An agency may not, however, deem such activity to constitute sexual abuse if it determines that the activity is not coerced

Auditor Overall Determination: Meets Standard

Auditor Discussion

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, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

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, staff shall ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening.

This standard has specific requirements depending on the type of facility. The first two subsections are applicable to prisons only and since this is a jail, it is not applicable.

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, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.

The Booking Policy requires that this standard is followed as written. The auditor was able to see the intake screen, how it is completed and what the steps are to get the person to a follow-up meeting with medical or mental health practitioners immediately.

The auditor was provided time and date stamped examples of inmates making reports and being seen by medical and or mental health practitioners within 14 days of arrival.

Any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law.

Because the intake assessment is completed by custody staff and everyone in the facility is cross-trained, it means that every staff of the facility has access to these records. However Chapter 20, Code of Ethics states that employees shall not

- Engage in critical discussion of staff members or inmates in the presence of inmates;
- Divulge confidential information without proper authorization;

- withhold information which, in so doing, threatens the security of the jail, its staff, visitors, or the community; and,
- Inquire about, disclose or discuss details of an inmate's crime other than as may be necessary in performing official duties.

Medical and mental health practitioners shall obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.

The facility has a one page, informed consent document that is presented to the inmate. It says that the staff have explained and the inmate understands the nature of their condition and provides authorization for treatment by Jail staff and to perform care services as needed. The form requires the signature of the inmate, a witness and health care staff with the date. The auditor was provided with 3 completed forms from 2023 and 2 from 2022.

The facility doesn't house anyone under the age of 18 so this portion of the standard is not applicable.

Originally the auditor was not provided any concrete examples of policy being followed as written. It was simply the standard rewritten. After the corrective action period, she was provided with documentation proof of compliance.

Also the Code of Ethics policy was provided however it was not clearly understood how it was to be viewed by staff of Boone County Jail in regard to maintaining confidentiality. Once it was confirmed that all staff are cross trained and regardless of their job title, they are all bound by the expectations of this policy, the auditor felt it showed compliance.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Inmate 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.</p> <p>If no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall</p>

	<p>immediately notify the appropriate medical and mental health practitioners.</p> <p>Inmate victims of sexual abuse while incarcerated shall be 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.</p> <p>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.</p> <p>The auditor was provided a copy of the classroom agenda for deputy jailer training in 2023 that is 24hrs of instructional time. On Day 1 there is a 2 hour PREA training provided. On Day 2, there is a 2 hour training on medical health issues and mental health and suicide prevention. For new jailers, the training is 40 hours and includes the same training.</p> <p>The auditor was provided a copy of the actual PREA curriculum which shows the information being relayed during the training as expected for this standard. There are 4 slides specifically that either provide the necessary information on the screen or are a part of the instructors notes.</p> <p>The auditor was also provided a copy of staff's signed training documentation.</p> <p>In previous standards, the auditor was provided the files of previous PREA allegations including the unimpeded access to emergency medical treatment and crisis intervention. In one of the examples, the inmate refused to be seen by medical and it was specifically written in the report that the inmate was told that access to sexually transmitted infections prophylaxis could not be offered without an acceptance of care.</p> <p>Initially the auditor was provided a copy of the policy which was a regurgitation of the standard. Since that time, the PREA curriculum, signed training acknowledgements and training agendas were provided.</p>
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115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The facility shall 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. The evaluation and</p>

treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. The facility shall provide such victims with medical and mental health services consistent with the community level of care.

Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the conduct described in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.

Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate. 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.

The auditor was provided the file notes of previous PREA investigations wherein it was documented that medical and mental health care was offered immediately following reported allegations.

Section 5.04, PREA Regulation provides these instructions as to how Boone County Jail staff are to respond. Section 6.066, Response to Sexual Abuse is the policy that specifically governs health care staff to ensure that victims of sexual abuse will receive prompt and appropriate interventions.

The auditor has seen the case notes of completed investigations wherein services were offered based on this policy and this expectation.

Initially the auditor was only provided a policy that was a regurgitation of the standards. Now the policy provides specific procedural instructions as to how these expectations are to be carried out.

All prisons shall 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.

The facility is a jail and therefore this portion of the standard is not applicable.

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard

Auditor Discussion

The facility shall 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. Such review shall ordinarily occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.

The review team shall:

- (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 manager. The facility shall implement the recommendations for improvement, or shall document its reasons for not doing so.**

The facility has a PREA policy that states the expectations of this standard. As of this report, there have been no substantiated or unsubstantiated conclusive investigations for sexual abuse or sexual assault. There is a memo from the Jailer dated 6/13/23 that includes two captains, a Lt, a healthcare provider and a mental health practitioner, all who are employees of Boone County Jail. This shows the intention and that all parties that will be responsible for carrying out these duties are aware.

Prior to the corrective action period, the auditor was simply provided the policy that was the standards rewritten. Since that time, a document was provided that shows that all parties are aware of the expectation if there is an event of sexual abuse or sexual assault.

Auditor Overall Determination: Meets Standard

Auditor Discussion

The agency shall collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. The agency shall aggregate the incident-based sexual abuse data at least annually. The agency shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

Boone County Jail has a 3 page Annual PREA Report that is accessible to the public through their facility website. The most recent report is from calendar year 2022 and it was completed and signed by the Captain on 1/17/23. The report provides some information about what PREA is, when it was enacted and about the facilities zero-tolerance policy. The report provides a definition explanation of what the terms substantiated, unsubstantiated and unfounded mean. There is a table that has PREA Findings categorized as to whether it was Inmate-on-Inmate or Staff-on-Inmate and the findings. There is an analysis of the findings, identified problem areas, corrective actions and planned efforts for 2023. In the end, there is a summary.

The incident-based data collected shall 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.

The auditor was provided with an email exchange between with an employee of the Bureau of Justice Statistics wherein data was being requested for 2022. The email also discussed that the current Survey of Sexual Victimization (SSV) is currently undergoing a revision and that information from Boone County Jail was necessary for completion. This document is from July of 2023, and the Jailer specifically mentions being in the midst of a PREA audit and needing the information being requested.

The auditor was also provided the Annual PREA Report for CY 2021 and CY 2020.

The agency also shall obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates.

This portion of the standard is not applicable since there are no contracted private facilities confining inmates on behalf of Boone County Jail.

Upon request, the agency shall provide all such data from the previous calendar year to the Department of Justice no later than June 30.

As of this report, there have been no requests from the Department of Justice asking for this data. Therefore this portion of the standard is not applicable.

	<p>Prior to the completion of the corrective action period, the auditor pointed out that the current Annual PREA Report does not provide the answers to all of the questions from the most recent survey of sexual victimization. It also didn't separate types of victimization such as sexual acts from harassment or staff misconduct. Also there were no definitions of what the actual victimization means.</p> <p>While there was proof of correspondence with the Bureau of Justice Statistics, the reports were not initially completed as required in the standard. Following the corrective action period, the auditor has been provided with completed forms for calendar year 2022 with the expectation to keep up this process for all future years.</p>
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115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <p>The agency shall 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:</p> <ul style="list-style-type: none"> (1) Identifying problem areas; (2) Taking corrective action on an ongoing basis; and (3) Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole. <p>All of this information as required by the standard can be found in the 2022 Annual PREA Report.</p> <p>Such report shall include a comparison of the current year's data and corrective actions with those from prior years and shall provide an assessment of the agency's progress in addressing sexual abuse.</p> <p>On 7/20/23, a Memorandum from the Captain was created that was a comparison of 2021 and 2022 PREA Incidents Data. It showed a decline in allegations and that policy was followed and there was no need for any changes. The report does mention that the facility is have their entire security camera system upgraded and expanded to be completed by the end of 2023. It is the belief that new technology will better help detection, prevention and investigation claims of PREA violations.</p> <p>The agency's report shall be 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.</p> <p>The calendar year 2022 agency report is accessible online 24/7 to the public through the facilities website. It has been signed by the Captain and is dated 1/17/23.</p>

	<p>The agency may redact specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.</p> <p>Originally there was no comparison report that discussed the most recent two years but following the corrective action period, it now exists.</p>
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115.89	Data storage, publication, and destruction
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>The agency shall ensure that data collected pursuant to § 115.87 are securely retained. The agency shall 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.</p> <p>The auditor was provided a copy of the 2022 County Jailer Records Retention Schedule as prepared by the Local Records Branch, Archives and Records Management Division, Approved by the State Libraries, Archives and Records Commissions. It is a 10 page document that provides a glossary of terms for the records retention schedule and the expectations to be followed.</p> <p>Boone County Jail would consider a violation of PREA to be classified as an "assault" and would therefore be termed a "Special Report" per the retention schedule. Any documentation of this category is to be retained for five (5) years, then destroy.</p> <p>Five years is less than the PREA standards expectations, however since this is a local agency law requirement, this is what Boone County shall follow.</p> <p>The agency shall 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. Before making aggregated sexual abuse data publicly available, the agency shall remove all personal identifiers.</p> <p>Currently there are 8 aggregated PREA Annual Reports from calendar year 2015 through 2022 that are accessible to the public through the facilities website. No personal identifiers were found in the report.</p> <p>Originally the auditor was given a copy of the 2022 County Jailer Records Retention Schedule with no explanation as to what a PREA violation would be termed and therefore how long the records would be retained. Following the corrective action period, the auditor was given a notice that provided insight as to how it is read and interpreted from Boone County Jails perspective. Because the standard specifically says that if laws require otherwise, it would be an exception, therefore that is the case with this agency.</p>

115.401	Frequency and scope of audits
	<p data-bbox="280 188 983 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="280 266 564 300">Auditor Discussion</p> <p data-bbox="280 344 1477 624">During the three-year period starting on August 20, 2013, and during each three-year period thereafter, the agency shall ensure that each facility operated by the agency, or by a private organization on behalf of the agency, is audited at least once. During each one-year period starting on August 20, 2013, the agency shall ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, is audited.</p> <p data-bbox="280 669 1477 741">The facility had a PREA Audit in 2020 and this one is conducted during the first year of the new cycle. They are compliant.</p> <p data-bbox="280 819 1461 1021">The Department of Justice may send a recommendation to an agency for an expedited audit if the Department has reason to believe that a particular facility may be experiencing problems relating to sexual abuse. The recommendation may also include referrals to resources that may assist the agency with PREA-related issues.</p> <p data-bbox="280 1066 1477 1178">This portion of the standard is not applicable because the audits are being conducted on the regular cyclical schedule that applies to all institutions required to be compliant.</p> <p data-bbox="280 1223 1477 1794">The Department of Justice shall develop and issue an audit instrument that will provide guidance on the conduct of and contents of the audit. The agency shall bear the burden of demonstrating compliance with the standards. The auditor shall review all relevant agency-wide policies, procedures, reports, internal and external audits, and accreditations for each facility type. The audits shall review, at a minimum, a sampling of relevant documents and other records and information for the most recent one-year period. The auditor shall have access to, and shall observe, all areas of the audited facilities. The auditor shall be permitted to request and receive copies of any relevant documents (including electronically stored information). The auditor shall retain and preserve all documentation (including, e.g., video tapes and interview notes) relied upon in making audit determinations. Such documentation shall be provided to the Department of Justice upon request.</p> <p data-bbox="280 1839 1477 2074">The auditor shall interview a representative sample of inmates, residents, and detainees, and of staff, supervisors, and administrators. The auditor shall review a sampling of any available videotapes and other electronically available data (e.g., Watchtour) that may be relevant to the provisions being audited. The auditor shall be permitted to conduct private interviews with inmates, residents, and detainees.</p>

	<p>The auditor was able to complete all of the requirements of this subsection of the standard. Boone County was extremely accommodating and did not refuse to allow access at any point. The auditor was able to go into restricted areas, look at computer systems, see reports and files and watch cameras. The auditor was placed in an office for private interviews with staff and inmates.</p> <p>Inmates, residents, and detainees shall be permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.</p> <p>The auditor provided the written announcement of the audit and it was hung throughout the facility and was still present during the onsite portion of the audit. As of this report, no contact was made by anyone associated with Boone County Jail, inmates, family, staff or otherwise.</p> <p>Auditors shall attempt to communicate with community-based or victim advocates who may have insight into relevant conditions in the facility.</p> <p>The auditor was able to communicate with the CEO of the ION Center for whom Boone County Jail has a Memorandum of Understanding in place to provide advocacy aftercare. Also, the facility has a direct access phone option from their jail to the ION Center for services as needed, free of charge, from the inmates quarters.</p>
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115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Boone County Jail is currently undergoing its 4th PREA Audit. The reports for previous years 2015, 2016 and 2020 are available on the facilities website for review.

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

	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.)	
115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into	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
115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes
115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the	yes

	facility does not have female inmates.)	
115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes
115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

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

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes
115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who	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
115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes
115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	

	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	na
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes

	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
115.22 (a)	Policies to ensure referrals of allegations for investigations	

	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes
115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes

	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes
115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	

	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes

	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes
115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes
115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and	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
115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or	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.)	
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective	yes

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

	Whether the inmate is detained solely for civil immigration purposes?	
115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes
115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive	yes

	information is not exploited to the inmate's detriment by staff or other inmates?	
115.42 (a) Use of screening information		
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b) Use of screening information		
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c) Use of screening information		
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would	yes

	present management or security problems?	
115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: transgender inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent decree, legal settlement, or legal judgement.)	yes
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes
115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	na
115.43 (c)	Protective Custody	

	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d) Protective Custody		
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e) Protective Custody		
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a) Inmate reporting		
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.51 (b) Inmate reporting		
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain	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
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes
115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from	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
115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
115.52 (f)	Exhaustion of administrative remedies	

	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes
115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers,	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
115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual	yes

	abuse or sexual harassment or retaliation?	
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes
115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in	yes

	response to an incident of sexual abuse?	
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes
115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of	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
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations	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
115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes

	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually	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?	
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes

	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes
115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish	yes

	evidence sufficient to substantiate the allegation?	
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	na
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior	yes

	sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	
115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes
115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes
115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes
115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes
115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes
115.83 (c)	Ongoing medical and mental health care for sexual abuse	

	victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na

115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant	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?	
115.88 (b)	Data review for corrective action	
	Does the agency’s annual report include a comparison of the current year’s data and corrective actions with those from prior years and provide an assessment of the agency’s progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency’s annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes
115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	

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

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