

PREA Facility Audit Report: Final

Name of Facility: Benton County Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: 01/22/2024

Date Final Report Submitted: 06/04/2024

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Bruce Kuennen	Date of Signature: 06/04/2024

AUDITOR INFORMATION	
Auditor name:	Kuennen, Bruce
Email:	kuennennw@gmail.com
Start Date of On-Site Audit:	12/05/2023
End Date of On-Site Audit:	12/07/2023

FACILITY INFORMATION	
Facility name:	Benton County Jail
Facility physical address:	7122 W Okanogan Place, Kennewick, Washington - 99336
Facility mailing address:	

Primary Contact

Name:	Kasey Kist
Email Address:	Kasey.Kist@co.benton.wa.us
Telephone Number:	509-460-4938

Warden/Jail Administrator/Sheriff/Director	
Name:	Robert Guerrero
Email Address:	Robert.Guerrero@co.benton.wa.us
Telephone Number:	509-222-3788

Facility PREA Compliance Manager	
Name:	Lacey Ammons
Email Address:	lacey.ammons@co.benton.wa.us
Telephone Number:	
Name:	Joshua Shelton
Email Address:	joshua.shelton@co.benton.wa.us
Telephone Number:	
Name:	Joshua Combs
Email Address:	joshua.combs@co.benton.wa.us
Telephone Number:	

Facility Health Service Administrator On-site	
Name:	Rebecca Groom
Email Address:	rebecca.groom@naphcare.com
Telephone Number:	509-783-1310 ext 327

Facility Characteristics

Designed facility capacity:	720
Current population of facility:	441
Average daily population for the past 12 months:	465
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:	18-80
Facility security levels/inmate custody levels:	Minimum, Medium, Max
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	102
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	55
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	178

AGENCY INFORMATION	
Name of agency:	Benton County Department of Corrections
Governing authority or parent agency (if applicable):	
Physical Address:	7122 W. Okanogan Place, Building B , Kennewick, Washington - 99336
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:

Name:	
Email Address:	
Telephone Number:	

Name:	Kasey Kist	Email Address:	Kasey.Kist@co.benton.wa.us
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Summary of Audit Findings

1	<ul style="list-style-type: none"> • 115.33 - Inmate education
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44	
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1. Start date of the onsite portion of the audit:

2. End date of the onsite portion of the audit:

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?

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

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:	455
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:	35
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:	90
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:	5
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:	19
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:	27
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:	3

<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	<p>2</p>
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	<p>9</p>
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>No text provided.</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>102</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>152</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>2</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>No text provided.</p>
<p>INTERVIEWS</p>	
<p>Inmate/Resident/Detainee Interviews</p>	
<p>Random Inmate/Resident/Detainee Interviews</p>	
<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>13</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p><input checked="" type="checkbox"/> Age</p> <p><input checked="" type="checkbox"/> Race</p> <p><input type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic)</p> <p><input type="checkbox"/> Length of time in the facility</p> <p><input checked="" type="checkbox"/> Housing assignment</p> <p><input checked="" type="checkbox"/> Gender</p> <p><input type="checkbox"/> Other</p> <p><input type="checkbox"/> None</p>
<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>Random number generator in Excel. At least one interviewee from each living unit.</p>
<p>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
Targeted Inmate/Resident/Detainee Interviews	
58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:	13
<p>As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".</p>	
60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:	2
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:	2
62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:	1

63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:	1
64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:	2
65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:	1
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:	1
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:	2
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:	1

<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>The facility does not place inmates in segregation because of their risk of sexual victimization.</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>No text provided.</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>12</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 checked="" type="checkbox"/> Shift assignment</p> <p><input type="checkbox"/> Work assignment</p> <p><input checked="" type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p>73. Were you able to conduct the minimum number of RANDOM STAFF interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>No text provided.</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>9</p>
<p>76. Were you able to interview the Agency Head?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>

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 type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

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 type="radio"/> Yes <input checked="" type="radio"/> No
83. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

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

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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<p>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)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>No text provided.</p>
<p>Documentation Sampling</p>	
<p>Where there is a collection of records to review-such as staff, contractor, and volunteer training records; background check records; supervisory rounds logs; risk screening and intake processing records; inmate education records; medical files; and investigative files-auditors must self-select for review a representative sample of each type of record.</p>	
<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>No text provided.</p>

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	2	1	1	0
Staff-on-inmate sexual abuse	1	0	1	0
Total	3	1	2	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	10	0	9	1
Staff-on-inmate sexual harassment	1	0	1	0
Total	11	0	10	1

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	1	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	0	1	0	0	0

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

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

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	1	0	0	0
Staff-on-inmate sexual harassment	0	0	0	0	0
Total	0	1	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	1	3	6
Staff-on-inmate sexual harassment	0	1	0	0
Total	0	2	3	66

99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?

100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:

101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?

102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?

<p>105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)</p>
<p>Sexual Harassment Investigation Files Selected for Review</p>	
<p>106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>4</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 type="radio"/> Yes</p> <p><input checked="" 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:

1

112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?

Yes

No

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?

Yes

No

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.

File documentation was very sparse; led to a finding of noncompliance for a number of standards.

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-on-site through the post-on-site 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

Identify the name of the third-party auditing entity

Corrections Consulting Services

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>Documents</p> <ul style="list-style-type: none"> • Benton County Corrections Department (BCCD) PREA Policy 606 Prison Rape Elimination Act • Resolution 2023 – 552 Benton County Policy Against Discrimination and Harassment and Reporting Procedures • Agency Organizational Chart <p>Interviews</p> <ul style="list-style-type: none"> • Interview with PREA Coordinator • Interview with Corrections Chief • Inmate interviews • Staff interviews

Site Review Observations

- Interactions between staff and inmates
- Posted signs
- Discussions of staffing levels
- Observations of lines of sight

BCCD Policy 606, Prison Rape Elimination Act, outlines in detail the policies, procedures, and approach to prevent, detect, and respond to sexual abuse and sexual harassment. These policies, inmate handbooks, posted signs, staff and inmate interviews, observations of interaction between staff and inmates all support the conclusion that a culture of zero tolerance is well established at the facility.

The agency’s PREA Coordinator is Lieutenant Kasey Kist. He is one of four lieutenants, who are one level below the facility chief. His position is full-time. While his position is not fully dedicated to overseeing the agency’s efforts to comply with PREA standards, it is a single facility agency, so he is able to adjust his time around as necessary to complete PREA related duties.

He reports directly to the Chief of Corrections, the person who signs off on all policy and procedures at the facility.

Evidence that the PREA Compliance Manager has sufficient time and authority to complete his job is the achievement of a high level of compliance with applicable PREA standards. The response from most interviewed inmates that they felt safe being housed at this facility is further evidence that the purpose and intent of the standards is being met.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents <ul style="list-style-type: none">• Pre-Audit Questionnaire
	Interviews <ul style="list-style-type: none">• Interview with PREA Coordinator• Interview with Corrections Chief
	Responses in the pre-audit questionnaire and interviews with the PREA Coordinator and the Corrections Chief indicated that the agency contracts with the U.S. Marshal, the Washington State Department of Corrections, one county, and one city to house

	<p>their prisoners, but they do not have contracts to house their own prisoners elsewhere.</p> <p>The evidence from all sources indicates that the agency and the facility meet the provisions of this standard.</p>
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115.13	Supervision and monitoring
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	Auditor Overall Determination: Meets Standard
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	Auditor Discussion
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	Documents
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- BCCD PREA Policy 606, Prison Rape Elimination Act
- BCCD Facility Staffing Plan - 2022
- BCCD Facility Staffing Plan - 2023
- Responses to Pre-Audit Questionnaire

	Interviews
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- Interview with PREA Coordinator
- Inmate interviews
- Supervisory staff interviews

	Site Review Observations
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- Discussions of staffing levels for each area of the facility

The facility provided a detailed staffing plan for each of the last two years that outline the minimum staffing levels for both line and supervisory staff. The plan describes how each of the standard requirements - (1) through (11) was considered in setting the minimum staffing levels.

The auditor confirmed the minimum staffing levels in housing units and other areas where inmates are present during the site review. At each housing unit, he considered or confirmed the minimum level of staff that was present on each unit for each shift. Critical minimum staffing levels are maintained; if a shortage occurs, supervisory staff (lieutenants) cover shifts or overtime pay is authorized.

The facility is well-equipped with an extensive system of security cameras, and the camera data is recorded and stored for possible use to support or contradict allegations of sexual abuse or harassment.

In the opinion of the auditor, the housing units are adequately staffed - i.e., the staffing levels met the minimum necessary to prevent, detect, and respond to

	<p>incidents of sexual abuse and sexual harassment. Supervisory staff interviews and written documentation indicate that unannounced rounds are regularly conducted and documented for all areas of the facility on all shifts.</p> <p>The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>
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115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 506, Juvenile Housing • Facility Responses to Pre-audit Questionnaire <p>Interviews</p> <ul style="list-style-type: none"> • Inmate interviews <p>Site Review Observations</p> <ul style="list-style-type: none"> • Observation of apparent age of inmates <p>The facility’s response to the PAQ and written policy indicate that the facility does not house inmates under the age of 18. On the site review (tour) the auditor observed no inmates whose youthful appearance required him to ask for verification of age.</p> <p>Twenty-six inmate interviews were conducted. Many documents which contained the ages of inmates were reviewed. None of these interviews or records indicated that an inmate was under the age of 18.</p> <p>All evidence leads to a finding of compliance with standard 115.14.</p>

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents

- BCCD Policy 515, Searches
- Random sample of staff training records

Interviews

- Staff interviews
- Inmate interviews

Site Review

- Observation of areas where searches are conducted
- Observation of opposite gender announcements
- Observation of posted signs
- Observation of posted reminders of opposite sex announcements at entry to each housing area

Statements of facts, staff interviews, and auditor observations consistently indicated that the facility does not conduct cross-gender visual body searches. One hundred percent of inmate interviews indicated that the interviewed inmates had not been subject to such searches at this facility.

BCCD Policy 515 requires that staff make their best efforts to allow offenders to shower, perform bodily functions, and change clothing without 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. The auditor observed physical barriers including curtains in every shower facility. He also observed the camera angles to ensure that the barriers and curtains were sufficient to prevent such observation via the camera system.

Inmate interviews all indicated the offenders had not been required to be fully naked before a staff person of the opposite gender at this facility.

BCCD Policy requires that staff of the opposite gender announce their presence when entering an offender housing area. The auditor verified that this occurred consistently during the site review. Staff and inmate interviews indicated that this occurs in regular practice.

The auditor confirmed that proper means of conducting inmate pat searches were a part of regular staff training. Interviewed staff confirmed that they had received this training.

Upon review of this evidence, the auditor concluded that the facility complies with the provisions of this standard in all material ways.

	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <hr/> <p>Documents</p> <ul style="list-style-type: none"> • BCCD PREA Policy 606, Prison Rape Elimination Act • Verification of BCCD contract with Language Link <p>Interviews</p> <ul style="list-style-type: none"> • Staff interviews • Inmate interviews, including two interviews for which a Spanish-speaking interpreter was available and provided <p>Site Review Observations</p> <ul style="list-style-type: none"> • Observations of Spanish versions of posted signs • Observation of staff access to handheld unit which includes a language translation app <p>BCCD PREA Policy 606, Prison Rape Elimination Act outlines the agency’s requirements to effectively communicate with inmates with disabilities. Targeted inmate interviews with randomly chosen inmates from these groups indicated that inmates understood their rights and the means of reporting abuse or harassment.</p> <p>The department maintains a contract with Language Link for interpretation services for languages other than English. Staff and inmate interviews indicated that the facility does not rely solely on printed materials in English to communicate with inmates; intake, education, acceptance of complaints and reports of abuse or harassment, and investigations all involve face-to-face staff/inmate contact so that an assessment can be made of the inmate’s understanding of the communication.</p> <p>A significant number of staff speak Spanish, including a significant number who are qualified as interpreters. Staff have access to a device which allows them to use Google Translate for more routine communications.</p> <p>The auditor considered this evidence to determine that the facility complies in all material ways with the requirements of this standard.</p>
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115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p>

	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination Act • BCCD Policy 107, Standards of Conduct • Facility responses to PREA Pre-Audit Questionnaire • Background investigation results for randomly selected staff <p>Interviews</p> <ul style="list-style-type: none"> • Interview with Agency PREA Coordinator • Interviews with supervisory staff • Interview with personnel department representative <p>Review of documents and staff interviews indicate that the facility ensures that it does not hire or promote anyone who will have contact with inmates who has engaged in prior sexual abuse or harassment at a correctional facility by the following means:</p> <p>Criminal background checks prior to employment</p> <ul style="list-style-type: none"> • Signed staff acknowledgment of affirmative duty to disclose such behavior. • Criminal background checks of all staff upon promotion and bi-annually • Hiring / Promotional Examination Questions relating to PREA standard concerns <p>The auditor requested and reviewed the evidence provided by the facility for randomly chosen employees - all had passed the background check process before they began work at the facility and those who had been with BCCD longer than five years had all been checked, and passed, within the last five years.</p> <p>These same procedures are followed for volunteers and contractors who have contact with inmates. Supervisory staff interviews verified that this policy is followed in practice.</p> <p>The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>
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115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Documents

	<ul style="list-style-type: none"> • Facility responses to Pre-Audit Questionnaire <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview <p>Site Review</p> <ul style="list-style-type: none"> • View of blind spots • View of camera locations / sight angles • Observation of video monitoring stations <p>The camera system has not planned or made any substantial expansion or modification of existing facilities since the last audit in 2020.</p> <p>The agency and the facility comply with this standard.</p>
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115.21	Evidence protocol and forensic medical examinations
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	Auditor Overall Determination: Meets Standard
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	Auditor Discussion
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	Documents
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- BCCD Policy 606, Prison Rape Elimination Act
- BCSO Policy 606, Sexual Assault Investigations
- BCSO Policy 802, Property and Evidence
- BCSO Policy 903, Prison Rape Elimination
- Facility responses to PREA Pre-Audit Questionnaire

	Interviews
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- Community agency representative – Executive Director, Support, Advocacy & Resource Center (SARC)
- Agency PREA Coordinator interview
- Staff interviews

Policy requires appropriate procedural steps for an investigation. The facility tracks the procedural steps required by this standard:

- Access to forensic medical examinations at a local hospital
- Examination by SAFE or SANE practitioners
- Access to a victim advocate

	<p>The agency has an agreement with Support, Advocacy & Resource Center (SARC). The agreement provides that SARC will provide victim advocacy services in the event of an alleged rape at the facility.</p> <p>The facility does not employ SAFE or SANE staff. Forensic examinations are provided at one of the nearby hospitals.</p> <p>Criminal investigations are handled by the Benton County Sheriff's Office. The BCCD has requested that the BCSO follow the protocols required by the standard.</p> <p>The auditor's review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>
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115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination Act • BCSO Policy 606, Sexual Assault Investigations • Facility responses to PREA Pre-Audit Questionnaire <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview <p>Website review</p> <ul style="list-style-type: none"> • https://bentoncountywa.municipalonline.com//files/documents/PREAPolicy138123525012821PM.pdf <p>The agency and the BCSO have the above-listed policies which require administrative and criminal investigations in the event of inmate or third-party allegations of sexual abuse or harassment.</p> <p>The policies clearly delineate the responsibilities of facility investigative staff and the BCSO. This policy delineation of responsibility is made available to the public via the agency's website as required by the standard.</p> <p>The auditor's review of this evidence leads him to the conclusion that this standard is fully met in policy, procedure, and practice.</p>

115.31	Employee training
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination Act • Resolution 2023 - 552 Benton County Policy Against Discrimination and Harassment and Reporting Procedures • Training PowerPoint • Facility responses to Pre-Audit Questionnaire • Training documentation for randomly chosen staff <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview • Staff interviews <p>BCCD policies require that all staff who have contact with inmates receive PREA training upon hire, and annually thereafter. The training includes:</p> <ul style="list-style-type: none"> • Zero tolerance • Prevention, detection, reporting, and response • Inmates' rights • Retaliation • Sexual abuse and harassment in confinement • Common reactions of victims • Detection and response to threatened or actual abuse • Inappropriate relationships with inmates • Communication with LGBTI inmates • Mandatory reporting <p>BCCD policies require and auditor interviews and document review indicate that all staff receive this training and understand its content. The document review included a request for six randomly selected corrections staff; evidence indicated that all had completed the relevant initial or annual training in the past year. Eighteen facility staff were interviewed, and all demonstrated a good understanding of their responsibilities regarding the prevention, detection, and response to incidents of sexual abuse and harassment.</p> <p>The auditor's review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>

115.32	Volunteer and contractor training
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	<p>Auditor Overall Determination: Meets Standard</p>
	<p>Auditor Discussion</p>
	<p>Documents</p> <ul style="list-style-type: none"> • Facility responses to PREA Pre-Audit Questionnaire • Benton County Background Check Web Form • Contract and Volunteer Safety Orientation <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview • Two contractor interviews <p>BCCD policies require that all volunteers who have contact with inmates receive PREA training upon engagement (before being assigned to volunteer with inmates), and annually thereafter. The training includes:</p> <ul style="list-style-type: none"> • Zero tolerance • Prevention, detection, reporting, and response • Inmates’ rights • Retaliation • Sexual abuse and harassment in confinement • Common reactions of victims • Detection and response to threatened or actual abuse • Inappropriate relationships with inmates • Communication with LGBTI inmates • Mandatory reporting <p>Contractors receive PREA training from their employer, NaphCare. The auditor interviewed two contract staff (medical providers); they exhibited a good understanding of PREA-related responsibilities.</p> <p>The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>

115.33	Inmate education
	<p>Auditor Overall Determination: Exceeds Standard</p>
	<p>Auditor Discussion</p>
	<p>Documents</p>

- Facility responses to PREA Pre-Audit Questionnaire
- BCCD contract with Language Link
- PREA Initial Orientation Checklist
- PREA Classification Education Checklist
- Documentation of initial and comprehensive training for 10 randomly chosen inmates

Site Review

- Posted Signs
- Interviews
- Inmate interviews
- Chief of Corrections interview
- Agency PREA Coordinator interview

BCCD Policy requires that inmates receive an initial orientation to PREA upon intake, and comprehensive PREA education within 30 days. The initial orientation is provided in a one-on-one interview between the inmate and intake staff. It is well-documented on a form which details the information provided.

In addition, the inmate is provided with a printed copy of the facility orientation booklet and the inmate handbook.

The 30-day comprehensive education is provided on a similar, consistent one-on-one basis by classification staff. This training is normally conducted within 14 days, and always within 30 days of intake. The documentation is excellent, specifying that all required areas are covered. It is well-documented on a form which details the information provided.

The form contains a checklist which ensures that the inmate is more thoroughly informed of the following information:

- PREA Rights
- Methods of Reporting
- Family Member Reporting
- Toll-free number to access advocacy service organization (SARC)
- Kites and Grievances
- Three specific methods of reporting
- Six Ways to Protect Yourself

This facility had consistently used this method of inmate education for a significant amount of time, resulting in a well-informed inmate population, as supported by the inmate interviews conducted by the auditor.

Staff and inmate interviews indicated that the facility does not rely solely on printed materials in English to communicate with inmate upon intake or at the time of classification education.

	<p>Policy statements, inmate interviews, and document review all indicate that the facility not only meets the requirements of this standard, but that it exceeds them with the individual one-on-one approach, and excellent documentation.</p>
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115.34	Specialized training: Investigations
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	<p>Auditor Overall Determination: Meets Standard</p>
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	<p>Auditor Discussion</p>
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Documents

- Facility responses to PREA Pre-Audit Questionnaire
- BCCD Policy 606, Prison Rape Elimination Act
- BCSO Policy 606, Sexual Assault Investigations
- BCSO Policy 802, Property and Evidence
- BCSO Policy 903, Prison Rape Elimination
- Investigations Documentation
- Email Correspondence
- Certificates of Training Completion

Interviews

- Agency PREA Coordinator interviews
- Supervisory staff interviews

Website review

- <https://bentoncountywa.municipalonline.com//files/documents/PREAPolicy138123525012821PM.pdf>

Facility responses to PREA Pre-Audit Questionnaire indicated that the Benton County Sheriffs Office conducted all investigations. However, BCCD policy and interviews at the onsite visit indicated that the BCSO investigated only criminal cases. This policy is also described at the county’s website. In practice, the BCCD is responsible for the investigation of administrative (non-criminal) cases of sexual abuse and sexual harassment at the facility.

At the time of the onsite audit, no member of the BCCD staff had received the specialized training required by this standard. In response to the corrective action plan, the facility designated two lieutenants to conduct all administrative investigations. The facility provided documentation that these two lieutenants completed the specialized training.

In the auditor’s judgment this evidence indicates that the facility now meets all of the requirements of this standard.

	Facility management and the Agency PREA Coordinator participated in the development of the following Corrective Action Plan.
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115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606 • BCCD Policy 107, Standards of Conduct • NaphCare Policy and Procedure Manual • Agency Responses to Pre-Audit Questionnaire <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator • One randomly chosen health care staff • One randomly chosen mental health care staff <p>NaphCare is a private company that provides medical care to inmates of this facility under contract with Benton County. Both BCCD and NaphCare policies and procedures require that that this training is mandated and provided to all its health care providers. The training is provided as part of orientation upon hire and in-service training no less frequently than annually. It includes:</p> <ul style="list-style-type: none"> • How to detect and assess signs of sexual abuse and harassment • How to preserve physical evidence • How to respond effectively and professionally • How and to whom to report allegations or suspicions of sexual abuse or harassment <p>Interviews indicated that this training was received and understood.</p> <p>The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion

Documents

- BCCD Policy 606, Prison Rape Elimination
- BCCD Policy 508, Inmate Classification
- BCCD Policy 505, Special Management Inmates
- BCCD Policy 601, Disciplinary Segregation
- Screening and rescreening forms for 10 randomly chosen inmates

Interviews

- Agency PREA coordinator interview
- Inmate interviews

The screening forms require that the intake officer ask specific questions and make his or her observations of the presence of risk factors. In the auditor’s opinion, these criteria are objective in nature, and they are applied objectively. The criteria include:

- Whether the inmate has a mental, physical, or developmental disability
- The age and physical build of the inmate
- Whether the inmate has previously been incarcerated
- Whether the inmate’s criminal history is exclusively nonviolent
- Whether the inmate has prior convictions for sex offenses
- Whether the inmate identifies or appears to the intake officer as LGBTQTI or otherwise gender nonconforming
- Previous sexual victimization
- The inmate’s own perception of vulnerability

In addition to screening inmates for their vulnerability and risk factors for victimization, the form and intake process are used to assess inmates’ risk for being sexually abusive. Prior acts of sexual abuse, prior convictions for violent offenses, and prior history of institutional violence are considered.

The auditor randomly chose 10 inmates and reviewed their screening and rescreening forms. Documentation was provided for 100% of these records had received intake screening on their first day at the facility. Likewise, 100% of those who had been at the facility for at least 30 days had been rescreened.

Interviews indicated that this process is also used when information is received that a reassessment should be considered.

The auditor’s review of this evidence leads him to the conclusion that this standard was met in policy, procedure, and practice.

115.42 Use of screening information

Auditor Overall Determination: Meets Standard

	<p>Auditor Discussion</p> <hr/> <p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • BCCD Policy 508, Inmate Classification • Tyler Risk Assessment Form • Screening and rescreening forms for 10 randomly chosen inmates <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA coordinator interview • Inmate interviews • Staff interviews <p>Site Review</p> <ul style="list-style-type: none"> • Tour of all units <p>Facility policies and procedures govern the use of screening information in making housing, bed, work, education, and other program assignments. All describe an individualized process designed to ensure the safety of inmates, staff, and the overall facility. Following through on completed Offender Screening Forms and other inmate records indicated that referrals to various assignments were made on an individualized, case-by-case basis.</p> <p>Interviews and site observation indicated that LGBTQI inmates are not housed in dedicated facilities, units, or wings.</p> <p>The auditor’s review of this evidence leads him to the conclusion that this standard is fully met in policy, procedure, and practice.</p>
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115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	<p>Auditor Discussion</p> <hr/> <p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • BCCD Policy 508, Inmate Classification • Facility responses to Pre-Audit Questionnaire <p>Interviews</p>

	<ul style="list-style-type: none"> • Agency PREA Coordinator interview • Staff interviews • Inmate interviews <p>A review of applicable BCCD policies and procedures indicates that alternatives are considered for all at risk offenders, not just those at risk of sexual victimization, prior to involuntary placement in segregated housing. The facility reported that no inmates were segregated for this purpose alone.</p> <p>The agency documents the basis for the facility’s concern for the inmate’s safety and the reasons why alternative means of separation cannot be arranged. Staff and inmate interviews indicated that these procedures are followed in actual practice.</p> <p>The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>
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115.51	Inmate reporting
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	Auditor Overall Determination: Meets Standard
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	Auditor Discussion
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	Documents
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- BCCD Policy 606, Prison Rape Elimination
- Facility responses to Pre-Audit Questionnaire
- Documentation of all incidents
- Email correspondence re: corrective actions

	Interviews
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- Agency PREA Coordinator interview
- Staff interviews
- Inmate interviews

A review of applicable BCCD policies and procedures indicates that staff are required to report all instances of sexual assault and sexual harassment to their appropriate supervisor. Policies further require that these reports be documented. Of the five investigative files reviewed during the onsite audit, only two included documentation of the initial staff’s receipt of incident information or observation of the incident. While staff consistently reported that they were required to document this information, staff reports were not included in the documentation of investigations in three out of five cases.

While the facility policy requires that these reports be submitted to “designated

investigators”, the process was ill-defined at the time of the onsite audit. In most cases, supervisors at the sergeant level reviewed the incident and made recommendations regarding whether the incidents were substantiated, unsubstantiated, or unfounded. However, the documentation was insufficient to determine to whom this recommendation was made, whether policies and procedures were followed, and whether the steps of the process were completed within the timelines required.

The auditor’s review of this evidence leads him to the conclusion that this standard was not met in practice. Facility administrators participated in the development of the following corrective action plan.

Corrective Action Plan

- Not later than 30 days following receipt of the Interim Report, the facility should designate one or more staff to be responsible for the investigation of administrative cases of sexual abuse and sexual harassment at the facility.
- Not later than 60 days following receipt of the Interim Report, the facility should develop a checklist of the documentation required for each investigation. The checklist must contain at least the following steps to document compliance with this standard:
 - Incident report by staff observing the incident or receiving information from an inmate or third party
 - Investigator assigned to case
 - Investigation steps, including interviews of alleged victims, suspected perpetrators, and witnesses, evidence obtained, recommendation basis (preponderance of the evidence), and the recommendation
 - Decision maker and decision
- Each step of the checklist must require the date and time of the action, to demonstrate that the time requirements of policy and the standards are met.
- Not later than 90 days following receipt of the Interim Report, the facility should provide documentation of checklist completion for all investigations which are conducted after the adoption of the checklist.

Response to CAP

- Two lieutenants were designated to conduct all administrative investigations of sexual abuse and sexual harassment in the facility.
- A checklist was developed and used to ensure that all investigative steps are followed in each case.
- Thorough documentation of two serious cases was provided, demonstrating that the facility's procedures now comply with the applicable standards.

The auditor’s review of this evidence leads him to the conclusion that this standard was now met in policy, procedure, and practice.

115.52

Exhaustion of administrative remedies

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documents

- BCCD Policy 606, Prison Rape Elimination
- BCCD Policy 610, Inmate Grievances
- Facility responses to Pre-Audit Questionnaire
- Documentation of all incidents

Interviews

- Agency PREA Coordinator interview
- Staff interviews
- Inmate interviews

A review of applicable BCCD policies and procedures indicates that the facility has plans and procedures in place to ensure the following:

- No time limit is imposed on when an Inmate may submit a grievance regarding an instance of sexual abuse
- Inmates are not required to use an informal grievance process to resolve an alleged incident of sexual abuse
- Inmates are not required to submit a grievance to a staff member who is the subject of a complaint
- Such grievances are not referred to a staff member who is the subject of a complaint
- The facility issues a final decision within 90 days of the initial filing of the grievance, such 90-day period not including the inmate's time preparing an administrative appeal
- If the facility claims an extension of time to respond, it will notify the inmate in writing of the extension and provide a date by which a decision will be made
- Third parties are permitted to assist inmates in filing requests for administrative remedies, and to file such requests on behalf of inmates
- The facility will document an inmate's decision to decline assistance
- Emergency grievances may be filed if an inmate alleges that he is at substantial risk of imminent sexual abuse
- Emergency grievances are immediately forwarded to a level of review at which corrective action can be taken, a response is provided within 48 hours, and a final agency decision is issued within five calendar days.
- The determination of substantial risk and the action taken are documented

Although there were no cases to review to test these plans and procedures in practice, facility responses indicated that such procedures would be followed. In the

	auditor’s judgment, the facility complies in all material ways with this standard.
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115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • Memorandum of Understanding (MOU) between BCCD and Support, Advocacy & Resource Center (SARC) • Facility responses to Pre-Audit Questionnaire • Inmate Handbooks • Intake and Classification Forms <p>Site Review Observations</p> <ul style="list-style-type: none"> • Posted signs <p>Interviews</p> <ul style="list-style-type: none"> • SARC Executive Director interview • Agency PREA Coordinator interview • Staff interviews • Inmate interviews <p>The agency has an agreement with Support, Advocacy & Resource Center (SARC). The agreement provides that the SARC will provide victim advocacy services in the event of an alleged rape at the facility. Services are not limited to those who report sexual abuse at the facility.</p> <p>Inmates are advised of the availability of these services by a variety of means including well-documented advice at intake and classification, inmate handbooks, and posted signs.</p> <p>The SARC executive director confirmed that the services are requested via the posted phone number and that services are provided as appropriate.</p> <p>The auditor’s review of this evidence leads him to the conclusion that services are available and methods exist for residents to contact the appropriate agencies. In the auditor’s judgment, the facility complies in all material ways with this standard.</p>

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination <p>Interviews</p> <ul style="list-style-type: none"> • Staff interviews • Inmate interviews <p>Website Review</p> <ul style="list-style-type: none"> • https://bentoncountywa.municipalonline.com//files/documents/PREAPolicy138123525012821PM.pdf <p>Third-party reporters such as family members can report incidents of sexual abuse and sexual harassment to the facility. Such reports are handled immediately in the same manner as first-person reports.</p> <p>Members of the public can learn of this policy through the facility’s website.</p> <p>The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • Facility responses to Pre-Audit Questionnaire • Documentation of all incidents • Email Correspondence • Investigation Checklists • Other written components of investigation process <p>Interviews</p>

- Agency PREA Coordinator interview
- Staff interviews
- Inmate interviews

A review of applicable BCCD policies and procedures indicates that staff are required to report all instances of sexual assault and sexual harassment to their appropriate supervisor. Policies further require that these reports be documented. Of the five investigative files reviewed, only two included documentation of the initial staff's receipt of incident information or observation of the incident. While staff consistently reported that they were required to document this information, staff reports were not included in the documentation of investigations in three out of five cases.

While the standard requires that these reports be submitted to "designated investigators", the process is ill-defined. In most cases, supervisors at the sergeant level reviewed the incident and made recommendations regarding whether the incidents were substantiated, unsubstantiated, or unfounded. However, the documentation was insufficient to determine to whom this recommendation was made, whether policies and procedures were followed, and whether the steps of the process were completed within the timelines required.

The auditor's review of this evidence leads him to the conclusion that this standard was not met in practice at the time of the onsite audit. Facility administrators participated in the development of the following corrective action plan

Corrective Action Plan

Not later than 30 days following receipt of the Interim Report, the facility should designate one or more staff to be responsible for the investigation of administrative cases of sexual abuse and sexual harassment at the facility.

Not later than 60 days following receipt of the Interim Report, the facility should develop a checklist of the documentation required for each investigation. The checklist must contain at least the following steps to document compliance with this standard:

Incident report by staff observing the incident or receiving information from an inmate or third party

Investigator assigned to case

Investigation steps, including witness interviews, evidence obtained, recommendation basis (preponderance of the evidence), and the recommendation

Decision maker and decision

Each step of the checklist must require the date and time of the action, in order to demonstrate that the time requirements of policy and the standards are met.

Not later than 90 days following receipt of the Interim Report, the facility should

	<p>provide documentation of checklist completion for all investigations which are conducted after the adoption of the checklist.</p> <p>Response to Action Plan</p> <p>The facility provided completed checklists and detailed documentation of two thorough investigations, demonstrating that they now meet this standard in policy procedure, and practice.</p>
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115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD 606, Prison Rape Elimination • Training Materials <p>Interviews</p> <ul style="list-style-type: none"> • Staff interviews <p>BCCD policies and staff training require immediate response to circumstances placing an inmate in immediate risk of sexual abuse, including action to protect the inmate in danger. Although there have been no circumstances of this severity at the facility, staff interviews consistently demonstrated an understanding of these requirements, which are clearly outlined in training materials.</p> <p>The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • Facility responses to Pre-Audit Questionnaire • New Other Facility Notification Form

- Completed notifications

Interviews

- Agency PREA Coordinator interview
- Staff interviews

BCCD policy requires reporting to other facilities within 72 hours in the event of a report of sex abuse at another facility. Although the facility reported that there was only one such report at 1 facility in the past year, the facility failed to document that the other facility had been notified.

In consideration of this lack of evidence, the auditor finds that this standard was not met in practice at the time of the onsite audit. The facility participated in the development of the following corrective action plan.

Corrective Action Plan

- Not later than 30 days following receipt of the Interim Report, the facility should create new procedure and a standardized form or email template for notification from the Chief to the head of the other facility, if an inmate reports sexual abuse at another jail or prison. The form or template must document the content and timing of the report. If the notification is made by telephone, the content and timing of the report must be documented.
- The facility should also designate one or more staff to be responsible for preparing the notification for the Chief, in a timely manner – i.e., to allow the notification within 72 hours. This designated staff person should be responsible for identifying the facility head or PI coordinator at the other facility and for providing or summarizing the nature and content of the inmate report. The new procedure should be communicated to all staff.
- According to the Department of Justice (DOJ) Frequently Asked Questions (FAQ), the notification must, at a minimum, be made at the direction of the chief, and appear to a third party to have originated with the facility head. For example, the chief could instruct his assistant or a lieutenant to send the notification from the chief’s email address. See
 - https://www.prearesourcecenter.org/frequently-asked-questions?keywords=&from=&to=&standards%5B%5D=1114&items_per_page
- Not later than 120 days following receipt of the Interim Report, the facility should provide documentation of notification for all cases for which it was required after the adoption of the new procedure.

Response to Corrective Action Plan

- The facility developed a new notification form and designated the staff responsible for other facility notifications. The form and the procedure now meet the standard's requirements..
- Three notifications were made during the corrective action period. All were timely and appropriately documented.

The auditor finds that the facility is now in compliance with the substance of this standard in a

	material ways.
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115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • Facility responses to Pre-Audit Questionnaire • Training materials <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview • Staff interviews • Contract staff interviews <p>BCCD policy and staff training require separation of the alleged victim and abuser by the first responder, and actions to preserve the crime scene and preserve evidence. Policies also require these actions of non-custody staff if they are the first responders to the incident.</p> <p>Staff and contract staff interviews, and training materials consistently supported that staff understand these requirements. The auditor’s review of this evidence leads him to a conclusion of full compliance with this standard.</p>

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • BCCD Policy 505, Special Management Inmates • 2023 PREA Staffing Plan • NaphCare Policy and Procedure Manual • Facility responses to Pre-audit questionnaire • Training Materials

	<p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview • Staff interviews • Executive Director, Support, Advocacy & Resource Center (SARC) • Contract medical staff interviews <p>BCCD policies and staff training require separation of the alleged victim and abuser by the first responder, and actions to preserve the crime scene and preserve evidence. A detailed coordinated response plan has been developed for the facility, outlining the responsibilities of corrections staff, medical and mental health providers, the facility PREA Coordinator, SARC, and the Chief. NaphCare policies and procedures are consistent with this plan.</p> <p>Staff, contract staff interviews, the SARC Executive Director interview, and training materials consistently supported that administrators, contractors, the community agency, and staff all have an understanding of their roles in this coordinated plan.</p> <p>The auditor’s review of this evidence leads him to a conclusion of full compliance with this standard.</p>
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115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • Teamsters Local 760 Collective Bargaining Agreement • Teamsters Local 839 Collective Bargaining Agreement • Facility responses to pre-audit questionnaire <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview <p>The auditor’s review of the above-listed materials and the listed interviews found no evidence of a 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>The agency and facility are in full compliance with this standard</p>

115.67 Agency protection against retaliation

Auditor Overall Determination: Meets Standard

Auditor Discussion**Documents**

- BCCD Policy 606, Prison Rape Elimination
- Facility responses to Pre-Audit Questionnaire
- Documentation of all incidents
- Email correspondence regarding corrective action

Interviews

- Agency **PREA** Coordinator interviews
- Staff interviews
- Inmate interviews

A review of applicable BCCD policies and procedures indicates that staff are responsible for observing all instances of retaliation. However, the standard specifically requires that designated staff monitor retaliation against those who report sexual assault and sexual harassment to their appropriate supervisor. Policies further require that these reviews be documented.

At the time of the onsite interview, no staff had been designated to monitor retaliation. The auditor's review of this evidence led him to the conclusion that this standard was not met in practice at the time of the onsite audit.

Facility staff participated in the development of the following corrective action plan.

Corrective Action Plan

- Not later than 30 days following receipt of the Interim Report, the facility should designate one or more staff to be responsible for the monitoring of retaliation against those who have reported cases of sexual abuse at the facility.
- Not later than 60 days following receipt of the Interim Report, the facility should include retaliation monitoring in its checklist of the documentation required for each investigation. (See the checklist required for corrective action plan for standard 115.51 above.)
- Not later than 120 days following receipt of the Interim Report, the facility should provide documentation of retaliation monitoring for all cases for which it was required after the adoption of the checklist.

Facility Response to Corrective Action Plan

	<ul style="list-style-type: none"> • The facility designated the PREA Coordinator as the person responsible for monitoring retaliation. Although retaliation monitoring was not required concerning any incident during the corrective action period, the coordinator appropriately monitored the areas of possible retaliation in that case. <p>The auditor's review of this evidence leads him to the conclusion that this standard is now met.</p>
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115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • BCCD Policy 508, Inmate Classification • BCCD Policy 505, Special Management Inmates • BCCD Policy 601, Disciplinary Segregation • Facility responses to Pre-Audit Questionnaire • Documentation of all incidents <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview • Staff interviews • Inmate interviews <p>A review of applicable BCCD policies, plans, and procedures indicates that alternatives are considered for all at risk offenders, not just those at risk of sexual victimization, prior to involuntary placement in restrictive housing.</p> <p>This process documents the basis for the facility's concern for the inmate's safety and the reasons why alternative means of separation cannot be arranged. Staff and inmate interviews indicated that these procedures are followed in actual practice.</p> <p>This evidence leads the auditor to the conclusion that the standard is met in all material ways in policy, procedure, and practice.</p>

115.71	Criminal and administrative agency investigations
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Auditor Overall Determination: Meets Standard

Auditor Discussion

Documents

- BCCD Policy 606, Prison Rape Elimination
- BCCD Policy 109, Personnel Complaints
- Facility responses to Pre-Audit Questionnaire
- Documentation of all incidents
- Email correspondence regarding corrective actions
- Documentation of two investigations conducted after the onsite visit
- Documentation of specialized training

Interviews

- Agency PREA Coordinator interviews
- Staff interviews
- Inmate interviews

As noted for standard 115.34 above, the BCCD is responsible for the investigation of administrative (non-criminal) cases of sexual abuse and sexual harassment at the facility. At the time of the onsite visit, no member of the BCCD staff had received the specialized training required by this standard. During the corrective action period two investigators were designated and trained. These two investigators led the investigations of the two post-onsite incidents reviewed.

At the time of the onsite visit, there was no documentation that indicated that facility investigators

- Gathered and preserved direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data
- Interviewed alleged victims, suspected perpetrators, and witnesses
- Reviewed prior reports and complaints of sexual abuse involving the suspected perpetrator
- Assessed the credibility of an alleged victim, suspect, or witness on an individual basis
- Provided a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings
- Documented efforts to determine whether staff actions or failures to act contributed to the abuse

In the auditor's judgment this evidence indicated that the facility did not meet the requirements of this standard at the time of the onsite visit.

Facility management and the Agency PREA Coordinator participated in the

development of the following corrective action plan.

Corrective Action Plan

- Not later than 30 days following receipt of the Interim Report, the facility should designate one or more staff to be responsible for the investigation of administrative cases of sexual abuse and sexual harassment at the facility. (Same recommendation as standard 115.34 above.)
- Not later than 60 days following receipt of the Interim Report, the facility should include the following steps to the checklist of the documentation required for each investigation. (See Corrective Action Plans for standards 115.51 and 115.67 above.)
 - Investigation process
 - Gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data
 - Review prior reports and complaints of sexual abuse involving the suspected perpetrator
 - Assessment of the credibility of an alleged victim, suspect, or witness on an individual basis
 - Description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings
 - Efforts to determine whether staff actions or failures to act contributed to the abuse
- Not later than 90 days following receipt of the Interim Report, the facility should provide documentation of checklist completion of these steps for all investigations which are conducted after the adoption of the checklist.
- Not later than 120 days following receipt of the Interim Report, the facility should provide evidence to the auditor that these investigators have received specialized training in conducting investigations in confinement settings. (Same recommendation as standard 115.34 above.)

Facility Response to Corrective Action Plan

- The facility designated two investigators to conduct all (non-criminal) PREA investigations. These two investigators received the specialized training required by the standard.
- The facility developed a checklist requiring all of the investigative steps required by this standard. The auditor verified that all steps were taken and documented on the two cases reviewed

In the auditor's judgment the facility is now in full compliance with this standard.

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documents

- BCCD Policy 606, Prison Rape Elimination
- Facility responses to Pre-Audit Questionnaire
- Documentation of all incidents
- Email correspondence regarding investigations
- Completed checklists for investigations conducted subsequent to onsite visit

Interviews

- Agency PREA Coordinator interviews
- Staff interviews
- Inmate interviews

As noted for standard 115.31 above, the BCCD is responsible for the investigation of administrative (non-criminal) cases of sexual abuse and sexual harassment at the facility. At the time of the onsite visit, no member of the BCCD staff had received the specialized training required by this standard.

Because there were no designated investigators, it was not possible for the auditor to determine the standard of proof required by the facility to substantiate an allegation of sexual abuse or harassment at the time of the onsite visit. At the time of the onsite visit there was no documentation that indicated that facility investigators applied this standard of proof.

In the auditor's judgment this evidence indicates that the facility did not meet the requirements of this standard at the time of the onsite visit.

Facility management and the Agency PREA Coordinator participated in the development of the following Corrective Action Plan.

Corrective Action Plan

- Not later than 30 days following receipt of the Interim Report, the facility should designate one or more staff to be responsible for the investigation of administrative cases of sexual abuse and sexual harassment at the facility. (Same recommendation as standards 115.34 and 115.71 above.)
- Not later than 60 days following receipt of the Interim Report, the facility should include the following step to the checklist of the documentation required for each investigation.
 - Affirmation that standard of proof applied to recommendations and findings was preponderance of the evidence
- Not later than 90 days following receipt of the Interim Report, the facility

should provide documentation of checklist completion of this steps for all investigations which are conducted after the adoption of the checklist.

Facility Response to Corrective Action Plan

- The facility designated two investigators to conduct all (non-criminal) PREA investigations. These two investigators received the specialized training required by the standard.
- The facility developed a checklist requiring all of the investigative steps required by this standard. The auditor verified that the investigators applied a standard no higher than the preponderance of the evidence in the two cases reviewed.

In the auditor's judgment the facility is now in full compliance with this standard.

115.73 Reporting to inmates

Auditor Overall Determination: Meets Standard

Auditor Discussion

Documents

- BCCD Policy 606, Prison Rape Elimination
- Facility responses to Pre-Audit Questionnaire
- Documentation of all incidents
- Email correspondence regarding facility response to corrective action plan

Interviews

- Agency PREA Coordinator interviews
- Staff interviews
- Inmate interviews

At the time of the onsite audit, the facility provided no evidence that inmates were advised of the results of investigations under any of the circumstances required by the standard. In the auditor's judgment this lack of evidence indicated that the facility did not meet the requirements of this standard at that time.

Facility management and the Agency PREA Coordinator participated in the development of the following Corrective Action Plan.

Corrective Action Plan

	<ul style="list-style-type: none"> • Not later than 60 days following receipt of the Interim Report, the facility should include the following steps in the checklist of the documentation required for each investigation. <ul style="list-style-type: none"> ◦ Whether and when inmate notification was completed (or reason why inmate notification was not required or completed) ◦ Inmate acknowledgment that he or she has been notified • Not later than 90 days following receipt of the Interim Report, the facility should provide documentation of checklist completion of these steps for all investigations which are conducted and completed after the adoption of the checklist. <p>Facility Response to Corrective Action Plan</p> <ul style="list-style-type: none"> • The facility designated two investigators to conduct all (non-criminal) PREA investigations. These two investigators received the specialized training required by the standard. • The facility developed a checklist requiring all of the investigative steps required by this standard. The auditor verified that the facility documented the notification of the inmates involved as required by the standard. <p>In the auditor's judgment the facility is now in full compliance with this standard.</p>
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115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • Facility responses to Pre-Audit Questionnaire • Documentation of all incidents <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview • Staff interviews • Inmate interviews <p>The language of the standard is repeated in BCCD Policy 606, Prison Rape Elimination. No substantiated instances of staff violations of agency sexual abuse or sexual harassment policies have occurred in the past 12 months.</p>

	The auditor's review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.
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115.77	Corrective action for contractors and volunteers
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • Facility responses to Pre-Audit Questionnaire • Documentation of all incidents <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview • Staff interviews • Contract staff interviews <p>The language of the standard is repeated in BCCD Policy 606. No instances of contractor or volunteer violations of agency sexual abuse or sexual harassment policies have occurred in the past 12 months.</p> <p>The auditor's review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>

115.78	Disciplinary sanctions for inmates
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • BCCD Policy 505, Inmate Handbook and Orientation • Inmate Handbook • Facility responses to Pre-Audit Questionnaire • Documentation of all incidents <p>Interviews</p>

- Agency PREA Coordinator interview
- Staff interviews
- Contractor interviews

BCCD Policy 606 requires that:

- Offenders are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the offender engaged in offender-on-offender sexual abuse, sexual harassment, extortion, substantiated acts of violence, or following a criminal finding of guilt for offender-on-offender sexual abuse.
- Sanctions are appropriate to the nature of abuse committed, the offender’s disciplinary history, and the sanction imposed for comparable offenses by other offenders with similar histories.
- The disciplinary process considers whether an offender’s mental disabilities or mental illness contributed to his behavior when determining what type of sanction, if any, should be imposed.
- An offender may be disciplined for sexual contact with staff only if it is determined the staff member did not consent to the contact.
- Disciplinary actions related to staff-on-offender sexual abuse or sexual harassment violations are handled in accordance with BCCD Policy.
- Sexual activity between offenders is prohibited and when discovered, it results in disciplinary sanctions in accordance with the BCCD policy. However, sexual activity between offenders is not considered sexual abuse if it is determined the activity is consensual.
- Engaging in consensual sexual acts with others, defined as “intentional contact between the genitals of one person and the genitals, mouth, anus, or hands of another person with the consent of both participants” is considered a lesser disciplinary violation.
- A report of sexual abuse made in good faith, based on a reasonable belief that the alleged conduct occurred, does not in itself constitute falsely reporting an incident of lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.
- When the preponderance of evidence exists supporting a false allegation, the offender involved in the false allegation shall be disciplined in accordance with the BCCD policy.

Staff and contractor interviews indicate that these policies are followed in practice. The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard

	<p>Auditor Discussion</p> <hr/> <p>Documents</p> <ul style="list-style-type: none"> • BCCD 606, Prison Rape Elimination • NaphCare Policies and Procedures • Facility responses to PREA Pre-Audit Questionnaire • Completed Inmate Medical Screening forms • Completed Inmate Medical Re-screen Evaluation forms • Follow-up patient case records <p>Interviews</p> <ul style="list-style-type: none"> • Staff interviews • Medical staff interviews • Inmate interviews <p>BCCD NaphCare policies require that if the screening pursuant to this section indicates an offender has experienced prior sexual victimization or previously perpetrated sexual abuse, whether it occurred in an correctional setting or in the community, medical staff ensure the offender is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.</p> <p>BCCD and NaphCare policies require that the use of any information related to sexual victimization or abusiveness that occurred in a correctional facility setting is strictly limited to medical and mental health practitioners and other staff who are assisting with making treatment plans and other management decisions, including those related to housing, bed, work, education, and program assignments.</p> <p>Review of inmate records and staff, medical staff, and inmate interviews indicated that these policies are followed in practice. The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>
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115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD 606, Prison Rape Elimination • NaphCare Policies and Procedures • Facility responses to PREA Pre-Audit Questionnaire

	<ul style="list-style-type: none"> Investigation files <p>Interviews</p> <ul style="list-style-type: none"> Staff interviews Inmate interviews <p>BCCD and NaphCare policies require:</p> <ul style="list-style-type: none"> That offender 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. That if no qualified medical or mental health practitioners are on duty at the time a report of abuse is made, staff first responders take preliminary steps to protect the victim and immediately notify the appropriate on-call medical and mental health practitioners. That offenders who become victims of sexual abuse while incarcerated shall be offered timely information about and access to emergency sexually transmitted infections prophylaxis, according to professionally accepted standards of care, where medically appropriate. That treatment services are provided to the offender victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising from the incident. <p>Review of inmate records and staff, contractor, and inmate interviews indicated that these policies are followed in practice. The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>
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115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> BCCD 606, Prison Rape Elimination NaphCare Policies and Procedures Facility responses to PREA Pre-Audit Questionnaire Investigation files <p>Interviews</p>

- Medical staff interviews
- Inmate interviews

BCCD and NaphCare policies require:

- All offenders who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile unit are offered medical and mental health evaluation and treatment, as appropriate.
- The evaluation and treatment of such offender victims include follow-up services, treatment plans, and, when necessary,
- Referrals for continued care following transfer to, or placement in other units in accordance with BCCD medical policies or their release from custody.
- Offender victims are provided medical and mental health services consistent with the community level of care.
- Offenders who become victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate.
- A mental health evaluation of all known offender-on-offender abusers is attempted within 60 days of learning of the abuse and initial treatment.

Review of inmate records and staff, contractor, and inmate interviews indicated that these policies are followed in practice. The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.

115.86	Sexual abuse incident reviews
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Auditor Overall Determination: Meets Standard

Auditor Discussion

Documents

- BCCD Policy 606, Prison Rape Elimination
- Facility responses to Pre-Audit Questionnaire
- Documentation of all incidents

Interviews

- Agency PREA Coordinator interviews
- Chief of Corrections interview
- Staff interviews
- Inmate interviews

The facility provided no evidence that sexual abuse incident reviews were conducted regarding the investigations of any incident in the year prior to the onsite

investigation. Both policies and this standard require such reviews within 30 days of the completion of all investigations, unless the allegations are determined to be unfounded.

In the auditor's judgment this lack of evidence indicated that the facility did not meet the requirements of this standard at the time of the onsite audit.

Facility management and the Agency PREA Coordinator participated in the development of the following Corrective Action Plan.

Corrective Action Plan

- Not later than the 30 days following the receipt of the Interim Report, the facility shall begin to conduct sexual abuse incident reviews of all sexual abuse investigations, unless the allegations are determined to be unfounded. The facility shall provide evidence of these reviews to the auditor.
- Not later than 60 days following receipt of the Interim Report, the facility should include the following step in the checklist of the documentation required for each investigation.
 - Whether and when a sexual abuse incident review was completed (or reason why the review was not required or completed)
- Not later than 60 days following receipt of the Interim Report, the facility should also
 - Develop a form or a report format to document the review itself. The form or report format should include documentation of the following requirements of the standard:
 - Date (within 30 days of the conclusion of the investigation)
 - Members of the review team (to include upper-level management officials – Chief and Lieutenants)
 - Input from line supervisors, investigators, and medical or mental health practitioners
 - Consideration of whether there is a need to change policy or practice to better prevent, detect, or respond to sexual abuse
 - Consideration of 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
 - Other group dynamics at the facility.
 - Examination of the area in the facility where the incident allegedly occurred to assess whether
 - Identification of physical barriers in the area may enable abuse;
 - Adequacy of staffing levels in that area during different shifts;
 - Adequacy of monitoring technology
 - Recommendations to the Corrections Chief and the Agency PREA Coordinator.

	<ul style="list-style-type: none"> ◦ Document how recommendations were implemented or documentation of reasons for not implementing. • Not later than 120 days following receipt of the Interim Report, the facility should provide documentation of checklist completion for all allegations and incidents of sexual abuse and sexual harassment. It must also provide documentation of the Sexual Abuse Incident Reviews for all cases of sexual abuse except those which are judged to be unfounded. <p>Facility Response to Corrective Action Plan</p> <ul style="list-style-type: none"> • The facility developed a detailed checklist for documentation of the process of a sexual assault incident review. • Only one incident required such a review during the corrective action period. The facility conducted the review with a team which met the standard's requirements. The checklist was followed and all of the steps required by this standard were documented. <p>In the auditor's judgment the facility is now in full compliance with this standard.</p>
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115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • PREA Annual Reports -2020, 2021, 2022 <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview <p>BCCD Policies and Procedures require these statistics to be collected in accordance with Bureau of Justice Statistics (BJS) guidelines. The most recent statistical report and annual report at the time of the onsite audit was for calendar year 2022. The annual reports for 2020, 2021, and 2022 are available for access online.</p> <p>In the auditor's judgment, this documentation demonstrates that the agency complies in all material ways with the standard for the relevant review period.</p>

115.88	Data review for corrective action
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Auditor Overall Determination: Meets Standard

Auditor Discussion

Documents

- BCCD Policy 606, Prison Rape Elimination
- PREA Annual Reports -2020, 2021, 2022
- PREA annual report revised - 2023
- Email correspondence regarding corrective action

Website Review

- <https://bentoncountywa.municipal.gov/files/documents/2023PREAReport138040025042524PM.pdf>

Benton County Corrections Policy 606.14 requires the Department to review the aggregated data regarding sexual abuse in an annual PREA report and assess whether the data indicates the need for changes in policy and practice. While the facility produced an annual report for the years 2020, 2021, and 2022, those reports did not include any analysis of changes from year to year, and they did not indicate whether policy or practice changes should have been made.

Further, there were serious typographical errors in the reports that suggested that the data was not being closely reviewed.

Corrective Action Plan

- Not later than 60 days following receipt of the Interim Report, the facility should
 - Prepare the annual report for 2023.
 - Analyze the data changes from 2022 to 2023.
 - Consider whether the data or other factors indicate the need for policy or practice changes. Include this consideration in the report, and indicate whether such changes were made.
 - Publish the report to the department's web page.
 - Notify the auditor of its publication for review

Facility Response to Corrective Action Plan

- The facility developed an annual PREA report for 2023. The auditor reviewed a draft of this report, and offered suggestions for improvement.
- The facility modified the plan to include review of the prior year's performance and comparison to 2022.
- The facility posted the revised 2023 annual report to its website.

In the auditor's judgment, the facility is now in full compliance with this standard.

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115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Documents</p> <ul style="list-style-type: none"> • BCCD Policy 606, Prison Rape Elimination • Facility responses to Pre-Audit Questionnaire • PREA Annual Report - 2022 <p>Interviews</p> <ul style="list-style-type: none"> • Agency PREA Coordinator interview <p>Website Review</p> <p>https://www.bentoncountywa.gov/pview.aspx?id=21176&catid=0</p> <p>BCCD Policy requires the maintenance of a retention schedule. That schedule requires PREA related data to be maintained for 10 years. No personally identifiable data is included in the information made available to the public.</p> <p>The 2022 annual report includes all aggregated sexual abuse data from the facility. Annual reports are readily available on the agency’s website.</p> <p>In the auditor’s judgment, this documentation demonstrates that the agency complies in all material ways with the standard for the relevant review period. The auditor’s review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Interview</p> <ul style="list-style-type: none"> • Agency PREA Coordinator

	<p>Website Review</p> <ul style="list-style-type: none"> • https://bentoncountywa.municipal.gov/files/documents/PREAAuditFinalReport138074538062821PM.pdf <p>The Benton County Department of Corrections did not exist prior to October 2019. Prior to October 2019, this jail facility was operated by the Benton County Sheriff's Office. The first audit of this facility was conducted in July 2020. The previous audit report is posted at the above website.</p> <p>This is the second PREA audit of the facility. The BCDOC operates only one facility, the Benton County Jail.</p> <p>The auditor was provided access to all areas of the audited facility. He was permitted to request and receive copies of any relevant documents, including electronically stored information. He interviewed a representative sample of inmates, staff, supervisors, and administrators. Inmates were permitted to send confidential correspondence to the auditor in the same manner as they can send legal mail. Two inmates corresponded with the auditor prior to the onsite visit; both were interviewed.</p> <p>He was permitted to review videotapes and other electronically available data relevant to the provisions being audited.</p> <p>The auditor's review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>
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115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Website Review</p> <ul style="list-style-type: none"> • https://bentoncountywa.municipal.gov/files/documents/PREAAuditFinalReport138074538062821PM.pdf <p>The first audit of this facility was conducted in July 2020. The previous audit report is posted at: the above website.</p> <p>The auditor's review of this evidence leads him to the conclusion that this standard is met in policy, procedure, and practice.</p>

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

	that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	
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.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes

	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	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 nonconforming 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 degree, 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 degree, 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.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
115.43 (c)	Protective Custody	

	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes
115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes
115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes
115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes
115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain	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.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from	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).	yes
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	yes
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.)	yes
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant	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.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	yes
	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