

PREA Facility Audit Report: Final

Name of Facility: Barnes County Correctional Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: 03/06/2019

Date Final Report Submitted: 09/10/2019

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: Candace L. Snyder	Date of Signature: 09/10/2019

AUDITOR INFORMATION	
Auditor name:	Snyder, Candy
Address:	
Email:	Snyder@gwtc.net
Telephone number:	
Start Date of On-Site Audit:	01/19/2019
End Date of On-Site Audit:	01/20/2019

FACILITY INFORMATION

Facility name:	Barnes County Correctional Facility
Facility physical address:	491 2nd Avenue NW, Valley City, North Dakota - 58072
Facility Phone	701-845-8532
Facility mailing address:	

Primary Contact

Name:	Jenna Jochim
Email Address:	jjochim@barnescounty.us
Telephone Number:	701-845-8532

Warden/Jail Administrator/Sheriff/Director

Name:	
Email Address:	
Telephone Number:	

Facility PREA Compliance Manager

Name:	
Email Address:	
Telephone Number:	

Facility Health Service Administrator On-site

Name:	julia anderson
Email Address:	janderson@barnescounty.us
Telephone Number:	701-845-8518

Facility Characteristics

Designed facility capacity:	30
Current population of facility:	13
Average daily population for the past 12 months:	
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	
Age range of population:	
Facility security levels/inmate custody levels:	all
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	12
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	

AGENCY INFORMATION

Name of agency:	Barnes County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	575 10th Street SW, Valley City, North Dakota - 58072
Mailing Address:	
Telephone number:	

Agency Chief Executive Officer Information:

Name:	
Email Address:	
Telephone Number:	

Agency-Wide PREA Coordinator Information

Name:	Jenna Jochim	Email Address:	jjochim@barnescounty.us
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AUDIT FINDINGS

Narrative:

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

The audit of Barnes County Correctional Facility (BCCF) in Valley City, North Dakota was conducted on January 19 and 20, 2019 by Candy Snyder, a Certified PREA auditor. The jail day-to-day activities are guided by the Jail Administrator. The BCCF is under the authority of the Barnes County Sheriff. The BCCF is required to follow the North Dakota Department of Corrections and Rehabilitation (DOCR) jail standards.

An entrance meeting was held with Sheriff Randy McClaflin, interim Jail Administrator, Jennifer Wilson and PREA Coordinator Jenna Jochim. At the time of the on-site portion of the audit the facility had eight full time officers on the schedule, but is allocated for ten full time officers. BCCF has a capacity of 32 inmates. On the day of arrival there were two inmates present. The North Dakota Department of Corrections and Rehabilitation re-classified BCCF as a Grade III facility in December 2018. This means inmates cannot stay longer than 96 hours, or four days. Previously, with Grade I status, inmates could stay up to a year. As a result, the population of the facility is now much smaller. The NDDOCR cited the layout of the facility and other concerns with documentation and sanitation. The BCCF has worked extensively over the past year to improve concerns brought by the DOCR inspection. They are working with the commissioners to build a new facility.

Following the entrance meeting the auditor toured the facility. The auditor then began interviewing specialized staff. Private accommodations were made for the auditor to conduct interviews. There were no hearing/visually impaired inmates, non-English speaking nor inmates who identified as lesbian, gay, transgender or intersex or inmates who reported sexual abuse. The auditor was provided a shift roster and interviewed all staff that were on the day shift and the night shift. It is important to note that staff rotate through all shifts. The auditor was not limited in any way from speaking with staff or inmates or inspecting any area of the facility.

In addition, the auditor reviewed employee files, training files, and investigative files. It was apparent that, through help from the DOCR PREA compliance manager, much of the documentation, policy and procedure has been recently implemented and the BCCF is materially in compliance with the standards. However, the auditor feels that because all of these procedures are relatively new to the BCCF, they will need to remain in a corrective action period for some time so that the auditor can verify these new procedures are becoming institutionalized within the facility.

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

AUDIT FINDINGS

Facility Characteristics:

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

The Barnes County Correctional Facility (BCCF) is located in Valley City, North Dakota. The building is over 100 years old and is a bit rustic in layout. The jail is comprised of an older two-story house with a basement. The main jail housing area is a first and second floor attachment to this primary structure. The first floor of the primary structure includes a booking area, staff offices, kitchen and a laundry. There is an outdoor recreation area off from the kitchen. Indoor recreation is located in the basement. There are quite a few blind spots as inmates traverse from the housing areas, down the stairs and to the basement for recreation. The inmates are escorted by officers, and there are cameras covering the stairwells. The jail has plans for a couple of additional cameras to eliminate all blind spots. The BCCF would benefit greatly in its supervision of inmates and their ability to protect inmates from sexual abuse. The second floor of the primary structure can house up to twelve inmates. This area is primarily used for work release inmates or as a means to separate inmates from the main jail. It is comprised of four rooms and a private bathroom with sink, toilet and shower.

The inmate housing areas in the attached building house 20 inmates and are as follows. The first floor can house up to eight inmates and is comprised of two housing areas used for holding or inmate separation – 1 South for females and 1 North for males. You enter this attachment to a main corridor facing the door to the utility chase that divides the two housing sections. Turn to the left and proceed through the corridor to access 1 South and turn to the right to access 1 North. The housing areas are mirror images of each other. The housing area has a walkway that is separated from the cells by jail bars. Change-out occurs with the correctional officer standing on one side of the bars, on-camera and the inmate standing on the opposing side of the bars, off-camera. The officer instructs the inmate on removal of clothing and unclothed search procedure and then the inmate dresses in the inmate uniform and proceeds to the cell via a walkway facing four distinct areas separated by jail bars. The first area is an inmate dayroom, the second is the first cell with two beds, the third is a cell with two beds and the last room is a single stall shower with a shower curtain for privacy. The second floor can house up to 12 inmates. In description 2 South and 2 North are almost identical to 1 South and 1 North with the exception that the second floor can house up to twelve inmates because the dayroom area has a bunk bed for two additional inmates.

All Inmates are housed based upon needs and their respective level of classification. All inmates are supervised by two shifts of correctional officers 6AM to 6PM AND 6PM TO 6AM.

All units have telephones/kiosks that include video monitors that can be used for video visitation. A PREA poster with reporting information to include contact information for BOP and U.S. Marshall's inmates, contact information for Abused Person Outreach Center (APOC) and the Valley City Police Department. All housing units had adequate camera coverage that is monitored in the staff office. Jail staff check every housing unit on rounds once each hour. The auditor directly witnessed rounds being conducted consistently.

AUDIT FINDINGS

Summary of Audit Findings:

The summary should include the number of standards exceeded, number of standards met, and number of standards not met, along with a list of each of the standards in each category. If relevant, provide a summarized description of the corrective action plan, including deficiencies observed, recommendations made, actions taken by the agency, relevant timelines, and methods used by the auditor to reassess compliance. Auditor Note: No standard should be found to be "Not Applicable" or "NA". A compliance determination must be made for each standard.

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

The Barnes County Correctional Facility has worked on implementation of the PREA standards over the past year. Due to a change in primary staff tasked with this duty over the past year, they have struggled some along the way. The North Dakota Department of Corrections and Rehabilitation has stepped in and provided assistance through their PREA compliance manager. The Sheriff, the interim jail administrator and the PREA Coordinator appeared to the auditor to be committed to continuing these processes for a safer jail for inmates under their care. At the time of the on-site audit, the BCCF had an interim jail administrator. The Sheriff hired a jail administrator after the issuance of the auditor's interim report. The auditor worked with the interim jail administrator, the newly hired jail administrator, and the PREA Coordinator during the corrective action period to reach compliance with all standards.

Standard 115.11 Zero tolerance of sexual abuse and sexual harassment; PREA coordinator CORRECTIVE ACTION: Although the BCCF was materially compliant with this standard, the auditor required the BCCF continue through a corrective action period to ensure stability within the PREA Coordinator and the Jail Administrator positions and that the newly enacted policy is adhered to throughout a corrective action period. The auditor believes at the end of the corrective action period that stability has been achieved and the newly enacted PREA policy has been adhered to.

Standard 115.12 Contracting with other entities for confinement of inmates

CORRECTIVE ACTION: The auditor required the BCCF conduct a site visit, review of PREA annual reports and PREA audits to ensure compliance with PREA standards. The facility has complied with this standard.

Standard 115.13 Supervision and monitoring

CORRECTIVE ACTION: The auditor required BCCF complete the staffing plan and provide this to the auditor. In addition, the auditor required the BCCF document unannounced rounds during the corrective action period that are well defined in the log book as an unannounced round and can be pulled by that type of event. Both the Sheriff and the Jail Administrator should conduct rounds throughout the jail at times unexpected by staff and inmates. These rounds should include a variety of shifts and days of the week to include early morning, late evening and some weekends. The auditor monitored compliance of staff supervision during a corrective action period to ensure that the concerns previously cited by the DOCR have been resolved. The auditor reviewed logbooks to review staff rounds, supervisory unannounced rounds and schedules and their staffing plan to verify that there is adequate coverage.

Standard 115.17 Hiring and promotion decisions

CORRECTIVE ACTION: In order to be compliant with this standard, the auditor required the BCCF develop a method to ensure that all employees background checks are re-ran every five years. Provide to the auditor a copy of the Attorney General's criminal records check letter for all current employees with a date that indicates that the background check has been ran in the last five years. A copy of the Authorization for Records Check form is not sufficient to verify that the background check has been completed. The BCCF provided all requested documentation to the auditor.

Standard 115.21 Evidence protocol and forensic medical examinations

CORRECTIVE ACTION: The auditor required the BCCF to attempt to enter into an MOU for the coordination of victim advocate support services through the local provider, the Abused Person Outreach Center (APOC). As requested by the victim, a victim advocate accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information, and referrals. The BCCF provided a copy of their MOU with APOC and the auditor verified services through a call with the APOC during the corrective action period.

Standard 115.22 Policies to ensure referrals of allegations for investigations.

CORRECTIVE ACTION: In order to comply with this standard the auditor required the BCCF designate which staff are responsible for the Administrative Investigation. It is acceptable to train an Administrative Investigator so that they may make the decision to handle all non-criminal investigations and forward all potential criminal investigations on to the criminal investigator at the Barnes County Sheriff's Department. The facility trained three investigators, the Jail Administrator, the PREA Coordinator and the Captain.

Standard 115.32 Volunteer and contractor training

CORRECTIVE ACTION: In order to comply with this standard the auditor required the jail develop a formal PREA curriculum for their contractors and volunteers that can be tailored to the level of contact a contractor or volunteer may have with an inmate. In addition, they must document this training on a form that has a statement that volunteers and contractors acknowledge and understand the training they have received. For volunteers who are in close proximity to a staff member and not in an isolated, one-on-one situation with the inmate, the training can consist of a staff going over a simple pamphlet that outlines the zero-tolerance policy and how to report an incident of sexual abuse and sexual harassment and then sign receipt of that training. The facility provided their training curriculum to the auditor during the corrective action period.

Standard 115.34 Specialized training: Investigations

CORRECTIVE ACTION: In order to comply with this standard the auditor required the BCCF provide documented evidence that the administrative investigator has participated in a PREA related investigative training course such as the National Institute of Corrections on-line investigation course "Investigating Sexual Abuse in a Confinement Setting" or restate the policy that the trained investigator from the Sheriff's department will conduct both administrative and criminal investigations. The BCCF sent three staff to the DOCR training on investigations within a confinement setting on April 23 and 24, 2019.

Standard 115.41 Screening for risk of victimization and abusiveness

CORRECTIVE ACTION: Because this is a relatively new process for the BCCF, the auditor required a corrective action period to ensure this process is completed for all incoming inmates within 72 hours. To verify compliance, the auditor required the BCCF provide inmate rosters on random dates selected by the auditor during the corrective action period. The BCCF provided the requested rosters and screening forms.

Standard 115.42 Use of screening information

CORRECTIVE ACTION: In order to comply with this standard the auditor required the jail provide screening for inmates present on dates selected by the auditor. The form must identify the outcome of the screening so that appropriate housing and work assignments can be made. The jail provided the requested documentation and therefore meets this standard.

Standard 115.53 Inmate access to outside confidential support services.

CORRECTIVE ACTION: In order to meet this standard the auditor required the BCCF attempt to enter into a MOU with the APOC for the confidential support services that they provide. The jail provided this MOU as requested and the auditor confirmed services with APOC.

Standard 115.54 Third-party reporting

CORRECTIVE ACTION: In order to meet this standard the BCCF the auditor required that they clarify the information on their website to make sure that third parties – family, friends, attorneys, clergy or anyone else wishing to report on behalf of an inmate can obtain information on how a third party can make a report of sexual abuse. In addition, the auditor recommends that the jail display posters in the lobby and visit area with this information. The jail clarified the main page of their website to state how third parties can report.

Standard 115.87 Data collection

CORRECTIVE ACTION: In order to meet compliance with this standard, the auditor required that the BCCF obtain aggregate data from Stutsman County Correction Center. If BCCF intends to utilize Cass County Jail, they must also obtain aggregate data from that jail. The BCCF included a link to both Stutsman County Correction Center and Cass County Jail's website on their web page. The auditor verified that there was aggregate data posted for Stutsman County Correction Center. At the conclusion of the corrective action period the BCCF was still only using the Stutsman County Correction Center for the confinement of their inmates. The Sheriff and the Jail Administrator understand that they must complete a contract with the PREA clause, review aggregate data and monitor for compliance prior to utilizing Cass County Jail.

Standard 115.89 Data storage, publication and destruction

CORRECTIVE ACTION: In order to meet this standard the auditor required that the BCCF post on the BCCF's website the aggregate data for Stutsman County Correction Center. If BCCF intends to utilize Cass County Jail, they must also post aggregate data from that jail. The auditor verified that there was aggregate data posted for Stutsman County Correction Center. At the conclusion of the corrective action period the BCCF was still only using the Stutsman County Correction Center for the confinement of their inmates. The Sheriff and the Jail Administrator understand that they must complete a contract with the PREA clause, review aggregate data and monitor for compliance prior to utilizing Cass County Jail.

Standards

Auditor Overall Determination Definitions

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

Auditor Discussion Instructions

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

115.11	Zero tolerance of sexual abuse and sexual harassment; PREA coordinator
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Barnes County Correctional Facility has a very thorough policy in PREA policy 6-10. The policy follows the guidelines of the PREA standards. The PREA Coordinator assumed her duties shortly before the on-site audit. She received assistance from the DOCR to bring the facility into compliance with all standards and to prepare for the audit. The Sheriff is firmly and earnestly committed to do whatever is necessary to implementation and following all PREA standards. The facility culture was supportive in providing a safe environment for inmates. This was verified through review of policy, direct observation and interviews with inmates and staff.</p> <p>CORRECTIVE ACTION: Although the BCCF was materially compliant with this standard, the auditor required the BCCF continue through a corrective action period to ensure stability within the PREA Coordinator and the Jail Administrator positions and that the newly enacted policy is adhered to throughout a corrective action period. The auditor believes at the end of the corrective action period that stability has been achieved and they newly enacted PREA policy has been adhered to.</p>

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF contracts with Stutsman County Correction Center (SCCC) for the confinement of inmates and may contract with Cass County in the future. The current contract with SCCC contains paragraphs requiring adherence to the PREA standards. The BCCF is currently not utilizing Cass County Jail, but will ensure a contract with the appropriate PREA clause is implemented prior to use of this county for housing Barnes County inmates. The Sheriff understands his responsibility for ensuring both counties comply with these contract clauses by verifying through site visits, discussions with the jail administration from these counties and reviewing the posted PREA annual reports. Stutsman County Correctional Facility completed a PREA Audit in 2016 and is scheduled for its second audit Spring 2019.</p> <p>CORRECTIVE ACTION: The auditor requires the BCCF to conduct a site visit, review of PREA annual reports and PREA audits to ensure compliance with PREA standards.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor interviewed the Sheriff, the interim Jail Administrator, the PREA Coordinator, staff and inmates. In addition, the auditor reviewed the schedule, log books, toured the facility and viewed the camera coverage within the control room. At the time of the on-site portion of the audit the jail had eight Corrections Officers one of which was the acting interim jail administrator and one also has assumed duties as the PREA Coordinator. Through the corrective action period additional staff were hired to include a permanent jail administrator. This brought the staffing level to a total of 10 staff. There are always, at a minimum, one direct care staff on duty 24 hours each day. When there are inmates within the jail there are three staff on during weekday business hours and two staff on the overnight shift. Staff work 12-hour shifts from 6AM to 6PM and 6PM to 6AM. The staff office has a control desk that monitors via camera all inmate housing areas. The facility's construction, which was originally a private dwelling, does not allow for direct observation from the control room. It appears difficult to conduct rounds due to the layout. Housing areas are spread out on multiple floors with winding stairwells and some distance from the administrative office/control room. Staff conduct rounds through inmate housing areas once each hour.</p> <p>Unannounced rounds are conducted by the Sheriff. The interim Jail Administrator reports when necessary and at varying times, but these are not necessarily unannounced rounds. The officer posts all events in a log book through the shift and this includes notes that the jail administrator conducted weekly inspection and Sheriff conducted monthly inspection. There has been observations by the DOCR of past inadequate staffing, rounds and documentation.</p> <p>CORRECTIVE ACTION: The auditor required BCCF complete the staffing plan and provide this to the auditor. In addition, the auditor required the BCCF document unannounced rounds during the corrective action period that are well defined in the log book as an unannounced round and can be pulled by that type of event. Both the Sheriff and the Jail Administrator should conduct rounds throughout the jail at times unexpected by staff and inmates. These rounds should include a variety of shifts and days of the week to include early morning, late evening and some weekends. The auditor monitored compliance of staff supervision during a corrective action period to ensure that the concerns previously cited by the DOCR have been resolved. The auditor reviewed logbooks to review staff rounds, supervisory unannounced rounds and schedules and their staffing plan to verify that there is adequate coverage.</p>

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The facility does not house youthful offenders.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility does not conduct cross-gender strip searches or cross-gender visual body cavity searches. The facility does not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it is determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. Staff are knowledgeable of correct search procedures. The DOCR provided training on how to conduct cross-gender pat-down searches, and searches of transgender and intersex inmates, in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. Staff stated during interviews that male staff will only pat-search female inmates during limited, exigent circumstances. All staff were able to demonstrate use of the back of the hand to conduct a cross-gender pat search.</p> <p>The facility has procedures that enable inmates to shower, perform bodily functions, and change clothing without staff of the opposite gender viewing except in exigent circumstances or when such viewing is incidental to routine cell checks. Inmates shower in private shower stalls with shower curtains to provide privacy and to prevent observation by staff of the opposite gender or casual observers. Jail cells have toilets within the room and two of these room are viewable by camera. However, the cameras have been blocked out with an electronically adapted "black box" over the toilet area for privacy. Staff make an announcement immediately upon entering the cell block area so that the inmates are aware of their presence and given the opportunity to cover up.</p>

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF provides PREA information to all inmates with disabilities including inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities so that they have an equal opportunity to participate in or benefit from all aspects of jail's efforts to prevent, detect, and respond to sexual have access to use the interpretive service for all communications other than day-to-day routine communication. There were no non-English speaking inmates at the facility during the audit. The jail will provide basic PREA information verbally to inmates who are blind, those who have intellectual, psychiatric, or disabilities. They provide written information to inmates who are deaf or hard of hearing or if required, they will provide an ASL interpreter. The BCCF uses the Language Link for translation services.</p>

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility has performed background checks at the time of employment. At the time of the on-site audit they had not re-run background checks every five years. They have included a form with the required three questions regarding sexual misconduct during the employment process. However, they do not currently require a continuing duty to report any sexual misconduct or have a process for ensuring that this is completed annually.</p> <p>CORRECTIVE ACTION: In order to be compliant with this standard, the auditor required the BCCF develop a method to ensure that all employees background checks are re-ran every five years. Provide to the auditor a copy of the Attorney General's criminal records check letter for all current employees with a date that indicates that the background check has been ran in the last five years. A copy of the Authorization for Records Check form is not sufficient to verify that the background check has been completed. The BCCF provided all requested documentation to the auditor.</p>

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF has added new cameras and at the time of the on-site audit had 25 cameras. The digital video systems are equipped with the ability to put a digital black box for privacy over areas of the toilet in the two cells that have cameras. The current jail is quite old. There are no clear direct sight lines from the control room to the housing areas. The housing areas are viewed either by camera or by direct observation during rounds. The path to take inmates from housing to recreation involves multiple turns through multiple levels via stairways where sightlines are impaired. During the corrective action period they added an additional four cameras to improve sight lines at the entry and in the stairwells. BCCF currently has before the county commissioners a request for consideration of a new jail facility.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Barnes County Sheriff's Office evidence protocol is based on the North Dakota Sexual Assault Evidence Collection Protocol 5th edition adapted from the Sexual Assault Protocol developed by the US Department of Justice. The BCCF will provide all victims of sexual abuse access to forensic medical examinations through Sanford Hospital in Fargo without financial cost. There is not a Sexual Assault Nurse Examiners (SANEs) available at the local hospital. The Abused Person Outreach Center is available for counseling services for the BCCF and their contact information is provided to the inmate in the inmate handbook. However, at the time of the on-site portion of the audit the BCCF did not have an MOU with this agency. In addition, it is unclear if an advocate would travel to Fargo to provide support during the forensic medical examination or if an advocate from Fargo would be used.</p> <p>CORRECTIVE ACTION: The auditor required the BCCF to attempt to enter into an MOU for the coordination of victim advocate support services through the local provider, the Abused Person Outreach Center (APOC). As requested by the victim, a victim advocate accompanies and supports the victim through the forensic medical examination process and investigatory interviews and provides emotional support, crisis intervention, information, and referrals. The BCCF provided a copy of their MOU with APOC and the auditor verified services through a call with the APOC during the corrective action period.</p>

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF policy requires all allegations are referred for investigation. The BCCF has a first responder checklist to help guide staff through the process which includes documenting the assigned investigator. As soon as the Jail Administrator or the PREA Coordinator is notified of a sexual assault the protocol is to call the investigator from the Sheriff's Department. The investigator conducts prompt and thorough investigations of all allegations of sexual abuse that are reported to him. He has law enforcement authority to conduct investigations concerning any allegation of criminal action. The policy states that BCCF staff will conduct all administrative investigations, but does not designate which staff. The PREA policy 6-10 is posted in its entirety on the Barnes County website at http://www.co.barnes.nd.us/dept/cor/prea.pdf. The investigative portion of the policy can be found on page 12.</p> <p>CORRECTIVE ACTION: In order to comply with this standard the auditor required the BCCF designate which staff are responsible for the Administrative Investigation. It is acceptable to train an Administrative Investigator so that they may make the decision to handle all non-criminal investigations and forward all potential criminal investigations on to the criminal investigator at the Barnes County Sheriff's Department. The facility trained three investigators, the Jail Administrator, the PREA Coordinator and the Captain.</p>

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA Coordinator for the North Dakota Department of Corrections and Rehabilitation has provided PREA training to all staff through an in-person training course. In addition, the BCCF PREA Coordinator has provided training to staff through policy, and memos. The training provided follows the specific 11 points outlined in the standard. Many staff have completed National Institute of Corrections PREA courses to include Your Role Responding to Sexual Assault; the Coordinators' Roles and Responsibilities; Audit Process and Instrument Overview; Behavioral Health Care for Sexual Assault; and Community Confinement Facilities. The auditor verified training through review of training records as well as interviews with staff.</p>

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The only volunteers currently are the religious volunteers. Currently the BCCF has not provided training to these volunteers. Contractors within the facility are always escorted by staff. Religious services are in the adjoining room to the Administrative Office/Control Room with the door open. Religious service volunteers are in close proximity to staff (within a few feet).</p> <p>CORRECTIVE ACTION: In order to comply with this standard the auditor required the jail develop a formal PREA curriculum for their contractors and volunteers that can be tailored to the level of contact a contractor or volunteer may have with an inmate. In addition, they must document this training on a form that has a statement that volunteers and contractors acknowledge and understand the training they have received. For volunteers who are in close proximity to a staff member and not in an isolated, one-on-one situation with the inmate, the training can consist of a staff going over a simple pamphlet that outlines the zero-tolerance policy and how to report an incident of sexual abuse and sexual harassment and then sign receipt of that training. The facility provided their training curriculum to the auditor during the corrective action period.</p>

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF provides inmates the basic information immediately upon booking into the jail regarding their zero tolerance policy and how to report. The inmates are also provided a handbook that has the PREA information on the zero tolerance policy, how to report and where they may find support for sexual abuse as well as a Sexual Abuse Prevention Overview for Offenders manual that is attached to the inmate handbook. The facility documents this information provided to inmates and the inmates sign acknowledging receipt of the information. There are inmate posters located on the cell blocks for continuous access to the basic information. This includes the Zero tolerance policy and how to report. The reporting information includes reporting to staff members, filing an electronic PREA report on the Reliance Video/Phone kiosk, paper grievance, or through a third party. It also has the phone numbers and addressees to contact the Valley City Police Department and the Office of Inspector General for BOP and US Marshall inmates. The Abused Person Outreach Center (APOC) phone number and address are also available on the poster so that the inmate may contact this organization for counseling or victim support information. Currently inmates are only allowed to remain at the jail for up to 96 hours. Should the DOCR reclassify this jail to a Class I facility, the BCCF has a video to provide a more in-depth PREA curriculum for inmates that is presented within 30 days of intake. Currently if an inmate is serving only time on weekends within the jail over an extended period of time, they again provide the basic PREA information and show the video for more comprehensive education.</p>

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF uses a trained law enforcement officer for all criminal investigations. At the time of the on-site training the investigator has been a licensed Police Officer since 1983. He has over 3,028 hours of North Dakota Police Officers training courses. He is a graduate of the 180th Session of the FBI National Academy and has been an investigator for over twenty years. In addition, he has completed the National Institute of Corrections course Investigating Sexual Assault in a Confinement Setting. The PREA policy 6-10 states that the BCCF will complete administrative investigations. The investigative policy must designate which staff are responsible for the Administrative Investigation. It is acceptable to train an Administrative Investigator so that they may make the decision to handle all non-criminal investigations and forward all potential criminal investigations on to the criminal investigator at the Barnes County Sheriff's Department. During the corrective action period a new deputy from the Barnes County Sheriff's office has assumed the role as criminal investigator for the jail. The newly appointed investigator from the sheriff's office completed the North Dakota Department of Corrections and Rehabilitation (DOCR) specialized training for investigators in a confinement setting.</p> <p>CORRECTIVE ACTION: In order to comply with this standard the auditor required the BCCF provide documented evidence that the administrative investigator has participated in a PREA related investigative training course such as the National Institute of Corrections on-line investigation course "Investigating Sexual Abuse in a Confinement Setting" or restate the policy that the trained investigator from the Sheriff's department will conduct both administrative and criminal investigations. The BCCF sent three staff to the DOCR training on investigations within a confinement setting on April 23 and 24, 2019.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The nurses have completed the specialized training for Medical Health Care providers. Both nurses have completed the National Institute of Corrections "PREA Medical Health Care for Sexual Assault Victims in Confinement" and "PREA 201 for Medical and Mental Health Practitioners. Through an interview with the primary nurse, it is apparent she is knowledgeable in how to detect and assess signs of sexual abuse and sexual harassment; how to preserve physical evidence of sexual abuse; how to respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment. The auditor also reviewed training records and verified that both nurses have received the PREA training provided to all staff who have regular contact with inmates. No forensic examinations are conducted on site. All inmates who would report a sexual assault are transported to the hospital.</p>

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF has only recently implemented their screening process. The booking officer conducts the initial screening for all incoming inmates. The auditor reviewed the screenings form and the screenings of those inmates in the facility at the time of the audit.</p> <p>CORRECTIVE ACTION: Because this is a relatively new process for the BCCF, the auditor required a corrective action period to ensure this process is completed for all incoming inmates within 72 hours. To verify compliance, the auditor required the BCCF provide inmate rosters on random dates selected by the auditor during the corrective action period. The BCCF provided the requested rosters and screening forms.</p>

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF screens inmates for risk of victimization and places them in appropriate housing to keep them safe. The jail each gives serious consideration to a transgender or intersex inmate's own views with respect to his or her own safety when making facility and housing placement decisions and programming assignments. All inmates shower separately at this jail.</p> <p>CORRECTIVE ACTION: In order to comply with this standard the auditor required the jail provide screening for inmates present on dates selected by the auditor. The form must identify the outcome of the screening so that appropriate housing and work assignments can be made. The jail provided the requested documentation and therefore meets this standard.</p>

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Jail considers the least upsetting placement for the alleged victim. The facility uses protective custody only until the facility finds alternative housing, but for less than 24 hours. If protective custody is used for greater than 24 hours, it is only at the request of the victim. The auditor encourages the facility to always consider first moving the aggressor vs. victim. Staff interviews confirmed that inmates at high risk for sexual victimization are not placed into protective custody unless the inmate cannot be protected by any other means or the victim requests it. A review of status for protective custody would be completed at a minimum of every 30 days. They have not placed any alleged inmate victims of sexual abuse or sexual harassment in involuntary segregated housing.</p>

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF provides internal avenues for inmates to report sexual abuse, sexual harassment and retaliation. They can tell any staff member, request to speak with the Jail Administrator or the PREA Coordinator, complete an electronic PREA form or write an inmate grievance form. The BCCF uses the Valley City Police Department as an external reporting source. BOP and US Marshall's inmates are provided the number and address for the Inspector General. These numbers are posted on the PREA posters located in the housing areas as well as in the Inmate Handbook. The auditor spoke with the Valley City Police Department to confirm that they are an external reporting method for the Barnes County Correctional Facility. The Valley City Police Department confirmed that they immediately forward inmate reports of sexual abuse and sexual harassment to BCCF officials and that the inmate can remain anonymous if requested. BCCF does not hold inmates solely for civil immigration purposes. North Dakota has a limited number of jails that are used for that purpose.</p>

115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Inmates may submit a grievance alleging sexual abuse or harassment without submitting it to a staff member that is subject of the allegation. The inmate does not have to complete any other prior steps in order to submit a grievance for an allegation of sexual abuse. There is also no time limit on when an inmate can submit a grievance regarding an allegation of sexual abuse. Staff and inmate interviews confirmed their knowledge of how the grievance process can be used to report sexual abuse and sexual harassment.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The Abused Person Outreach Center (APOC) provides confidential support services. At the time of the on-site portion of the audit the BCCF did not have an MOU with this organization. The BCCF provides inmates with reasonable and confidential access to their attorney. In addition, inmates interviewed reported that they had contact with their families regularly. CORRECTIVE ACTION: In order to meet this standard the auditor required the BCCF attempt to enter into a MOU with the APOC for the confidential support services that they provide. The jail provided this MOU as requested and the auditor confirmed services with APOC.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The BCCF website provides information on how an individual can make a third party report. The main PREA page on the website does clearly state "Third party reporting should be directed to: Valley City Police Department" with the address and phone number listed. However, the menu link on the webpage titled "PREA Third Party Reporting" directs to a poster that is all about staff internal and external reporting. CORRECTIVE ACTION: In order to meet this standard the BCCF the auditor required that they clarify the information on their website to make sure that third parties – family, friends, attorneys, clergy or anyone else wishing to report on behalf of an inmate can obtain information on how a third party can make a report of sexual abuse. In addition, the auditor recommends that the jail display posters in the lobby and visit area with this information. The jail clarified the main page of their website to state how third parties can report.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>PREA policy 6-10 requires that all BCCF staff report immediately 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 BCCF. Apart from reporting to designated supervisors or officials, staff may not reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. The policy extends this requirement to medical staff and that they inform inmates of their duty to report. The policy requires staff to report all allegations against vulnerable adults to the Department of Human Services as required by North Dakota mandatory reporting laws. Staff are required to immediately report to the security shift supervisor or they may privately report sexual abuse or sexual harassment of inmates to their supervisor or any other facility supervisor. Staff verified the policy requirements during interviews with the auditor.</p>

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF staff take immediate action to protect any inmate when they learn an inmate is subject to substantial risk of imminent sexual abuse. All staff interviewed are aware of this procedure.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>BCCF staff are aware that only the Sheriff or the Facility Administrator, may report sexual abuse to another facility when an incident is reported that occurred while an inmate was previously confined at another facility. In addition, only the Sheriff or the Facility Administrator, may receive a report of abuse that occurred at the BCCF that is being reported by another facility. The notification would be made immediately and documented. Such notification will be provided as soon as possible, but no later than 72 hours after receiving the allegation. There were no incidents reported to another facility over the past year regarding a transferred inmate.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Staff have received training on first responder duties as was evident by their responses during the interview process. These duties are outlined in policy such as separating the victim and the abuser, immediately contact medical staff to provide immediate medical care, preserve and protect evidence to include informing inmates about any actions that could destroy evidence, and contact a supervisor. The BCCF has a first responder checklist to help guide staff through the process.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The BCCF has coordinated actions to be taken when an incident occurs that are outlined within their PREA policy. This plan is aimed at coordinating actions among staff, first responders, medical/mental health staff, investigators, victim advocates and facility administrators. Staff interviews and interviews with the PREA Coordinator indicate that staff are aware of their responsibilities to coordinate responses within the facility. The first responder checklist also includes sections with specified checks to ensure that all parts of the response such as the PREA Coordinator; medical and mental health staff, the investigator, the victim advocate and the facility administrators all complete their required responses.

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The BCCJ has a disciplinary process that allows for staff discipline when staff have participated in a sexual abuse / harassment incident to include dismissal. There are no barriers preventing the Jail Administrator from removing an alleged staff, volunteer, or contractor who has committed sexual abuse from contact with inmates pending the outcome of the investigation and a determination of discipline.

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The guidelines for monitoring for retaliation are in PREA Policy 6-10. The PREA Coordinator has been designated as the person to monitor for retaliation up to a 90-day period or for as long as needed. The BCCF has a Retaliation Monitoring Data Sheet to document this process.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The BCCF demonstrated compliance with all elements of this standard. Staff stated segregated housing would only be used at the request of the inmate or involuntarily only for an immediate need (for the first 24 hours) for protection until alternative housing can be provided. There are housing options available to provide adequate separation for the protection of an inmate. The standard practice would be to place the suspected abuser in an alternate housing location.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor reviewed policy and interviewed the investigator. The investigator from the Barnes County Sheriff's Department investigates all criminal allegations of sexual abuse and sexual harassment. Investigations include efforts to determine whether staff actions/failures contributed to the abuse. The investigations are documented through written reports. All written reports will be retained for at least five (5) years from inmate(s) discharge. Investigations will not be terminated due to the departure of an alleged abuser or victim. The facility will cooperate with outside investigators and will remain informed of the investigation progress. If the incident is determined to involve criminal conduct of a staff member, the auditor recommends that the investigation be turned over to the North Dakota Division of Criminal Investigations.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor reviewed policy, interviewed staff and the investigator to determine that the BCCF uses the standard a preponderance of evidence in making a determination of alleged sexual abuse/harassment.

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The BCCF requires inmates to be informed as to whether an allegation of sexual abuse is substantiated, unsubstantiated or unfounded. If a sexual misconduct allegation against staff is confirmed, the inmate is informed of the abuser's employment-volunteer-contractor status; and as appropriate of an indictment/conviction. Compliance with this standard was verified through review of policy and interviews with the administration and the investigator. The BCCF has a section on their PREA incident checklist to document that the victim was notified of the outcome.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The BCCF will impose disciplinary sanctions to staff members who commit sexual abuse or sexual harassment. Interviews conducted with the administration and the investigator verified that there have been no substantiated allegations at the facility during this audit review period. Interviews also confirmed that disciplinary measures would be carried out. In addition, all terminations for violations, or resignations by staff who would have been terminated if not for their resignation, will be reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies.

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF will impose disciplinary sanctions for contractors and volunteers who commit sexual abuse or sexual harassment. Interviews conducted with the administration and the investigator verified that there have been no substantiated allegations at the facility during this audit review period. Interviews also confirmed that disciplinary measures would be carried out. In addition, all terminations for violations, or resignations by contractors or volunteers who would have been terminated if not for their resignation, will be reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies. According to the jail administrators, should any violation of this type be substantiated, the facility has complete authority to administer remedial measures including prohibiting further contact with inmates by prohibiting entrance into the facility for any violation.</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>For incidents of inmate-on-inmate sexual abuse, sexual harassment or retaliation, administrative sanctions will be handed out following the formal disciplinary processes and applied commensurate with the level of the infraction. The BCCF prohibits all sexual activity among offenders and does not deem such activity to be sexual abuse if the activity is consensual. However, consensual activity is thoroughly investigated to ensure that it is truly consensual and not coerced.</p>

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>BCCF staff will offer the inmate a follow-up appointment with the nurse if the screening indicates there is a history of sexual abuse. If the nurse meets with an inmate she would ask if there are any resources that she can assist with such as any further needed medical care or counseling. This inquiry would be documented in the inmates medical file.</p> <p>Medical staff are aware of mandatory reporting regarding sexual abuse of inmates. There have been no incidents reported. The nursing staff will post information regarding the limits of their confidentiality. They would document within the medical file if the inmate has provided informed consent regarding a medical staff reporting information about prior sexual victimization that did not occur in an institutional setting.</p>

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Nursing staff will provide initial emergency medical care. In the event services after hours are not available by the facility medical staff, inmates will be taken to the CHI Mercy Hospital in Valley City. If a forensic exam is needed the inmate will be transported to Sanford in Fargo where a SANE nurse is available. Health staff can make referrals for mental health services. These services are typically provided by the South Central Human Services Center. They can refer to the Abused Persons Outreach Center (APOC) where peer support and group sessions are available.</p>

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF health staff medical provide evaluations and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in the jail. This treatment includes, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody. The jail provides such victims with medical and mental health services consistent with the community level of care. Nursing staff stated that tests for sexually transmitted infections and pregnancy are offered. In other instances unrelated to sexual assault, nursing staff have used their professional judgment to make referrals to external providers and see no issues in doing this if there were a sexual assault perpetrated within the jail.</p>

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF requires sexual abuse incident reviews following sexual abuse investigation regardless of final determination of findings, unless unfounded. The review will include upper-level staff, supervisors, investigators, and medical staff. The jail has had no incidents to review, but does have a review form that includes all required components of the standard.</p>

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF PREA policy mandates, and interviews with the Interim Jail Administrator and the PREA Coordinator verified, the jail collects data for every allegation of sexual abuse using a standardized set of definitions. The jail creates an incident-based sexual abuse data annual report. The incident-based data includes, 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. During the onsite audit, it was verified the agency maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. The facility has not gathered information from Stutsman County, the contracted facility for the confinement of Barnes County inmates.</p> <p>CORRECTIVE ACTION: In order to meet compliance with this standard, the auditor required that the BCCF obtain aggregate data from Stutsman County Correction Center. If BCCF intends to utilize Cass County Jail, they must also obtain aggregate data from that jail. The BCCF included a link to both Stutsman County Correction Center and Cass County Jail's website on their web page. The auditor verified that there was aggregate data posted for Stutsman County Correction Center. At the conclusion of the corrective action period the BCCF was still only using the Stutsman County Correction Center for the confinement of their inmates. The Sheriff and the Jail Administrator understand that they must complete a contract with the PREA clause, review aggregate data and monitor for compliance prior to utilizing Cass County Jail.</p>

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF has completed an annual review of data and prepared an annual report. The review reported on findings and corrective actions as well as the progress made through their previous year in addressing sexual abuse. They have reviewed their aggregate data, past incidents and completed all aspects of the annual review process as outlined within the standard. Following the annual review, the PREA Coordinator completed an annual report and posted the annual report on their website at</p> <p>http://www.co.barnes.nd.us/dept/cor/prea2018Report.pdf</p>

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCCF posts aggregated data on their website as required by the standard. Data collected is retained in a secure manner and is retained for at least ten (10) years. However, the BCCF has not made available on its website aggregated sexual abuse data from facilities with which it contracts.</p> <p>CORRECTIVE ACTION: In order to meet this standard the auditor required that the BCCF post on the BCCF's website the aggregate data for Stutsman County Correction Center. If BCCF intends to utilize Cass County Jail, they must also post aggregate data from that jail. The auditor verified that there was aggregate data posted for Stutsman County Correction Center. At the conclusion of the corrective action period the BCCF was still only using the Stutsman County Correction Center for the confinement of their inmates. The Sheriff and the Jail Administrator understand that they must complete a contract with the PREA clause, review aggregate data and monitor for compliance prior to utilizing Cass County Jail.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>This is the first audit for the Barnes County Correctional Facility. The facility provided access to all areas of the facility during the onsite audit. The facility was cooperative and provided all documentation that was requested. During the onsite audit, the facility provided a private area to conduct interviews with inmates and staff. The facility posted the auditors confidential contact information at least 6 weeks prior to the audit and inmates were permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>No final PREA audit reports have been completed, but this current audit report will be posted on the agency website once it is completed.</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.)	na
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	na

115.12 (a)	Contracting with other entities for the confinement of inmates	
	If this agency is public and it contracts for the confinement of its inmates with private agencies or other entities including other government agencies, has the agency included the entity's obligation to comply with the PREA standards in any new contract or contract renewal signed on or after August 20, 2012? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes

115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	yes

115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes

	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes

115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na

115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes

115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na

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

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

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

115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the facility does not have female inmates.)	yes

115.15 (c)	Limits to cross-gender viewing and searches	
	Does the facility document all cross-gender strip searches and cross-gender visual body cavity searches?	yes
	Does the facility document all cross-gender pat-down searches of female inmates (N/A if the facility does not have female inmates)?	yes

115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes

115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes

115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes

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

115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes

115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the enlistment of services of any contractor who may have contact with inmates who has been civilly or administratively adjudicated to have engaged in the activity described in the two bullets immediately above?	yes

115.17 (b)	Hiring and promotion decisions	
	Does the agency consider any incidents of sexual harassment in determining whether to hire or promote anyone who may have contact with inmates?	yes

115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes

115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes

115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes

115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes

115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes

115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	yes

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

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

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

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

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

115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes

115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes

115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	na

115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes

115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes

115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes

115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes

115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes

115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes

115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes

115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes

115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes

115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes

115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes

115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes

115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes

115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes

115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	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 screening instrument?	yes

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

115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes

115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes

115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes

115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes

115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes

115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes

115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes

115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes

115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes

115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent 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 solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	yes

115.43 (a)	Protective Custody	
	Does the facility always refrain from placing inmates at high risk for sexual victimization in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers?	yes
	If a facility cannot conduct such an assessment immediately, does the facility hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment?	yes

115.43 (b)	Protective Custody	
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Programs to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Privileges to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Education to the extent possible?	yes
	Do inmates who are placed in segregated housing because they are at high risk of sexual victimization have access to: Work opportunities to the extent possible?	yes
	If the facility restricts any access to programs, privileges, education, or work opportunities, does the facility document the opportunities that have been limited? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the duration of the limitation? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes
	If the facility restricts access to programs, privileges, education, or work opportunities, does the facility document the reasons for such limitations? (N/A if the facility never restricts access to programs, privileges, education, or work opportunities.)	yes

115.43 (c)	Protective Custody	
	Does the facility assign inmates at high risk of sexual victimization to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged?	yes
	Does such an assignment not ordinarily exceed a period of 30 days?	yes

115.43 (d)	Protective Custody	
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The basis for the facility's concern for the inmate's safety?	yes
	If an involuntary segregated housing assignment is made pursuant to paragraph (a) of this section, does the facility clearly document: The reason why no alternative means of separation can be arranged?	yes

115.43 (e)	Protective Custody	
	In the case of each inmate who is placed in involuntary segregation because he/she is at high risk of sexual victimization, does the facility afford a review to determine whether there is a continuing need for separation from the general population EVERY 30 DAYS?	yes

115.51 (a)	Inmate reporting	
	Does the agency provide multiple internal ways for inmates to privately report: Sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Retaliation by other inmates or staff for reporting sexual abuse and sexual harassment?	yes
	Does the agency provide multiple internal ways for inmates to privately report: Staff neglect or violation of responsibilities that may have contributed to such incidents?	yes

115.51 (b)	Inmate reporting	
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain anonymous upon request?	yes
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	na

115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes

115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes

115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	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 this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

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

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

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

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

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	na
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes

115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes

115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes

115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes

115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes

115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes

115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes

115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes

115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes

115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes

115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes

115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes

115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes

115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes

115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes

115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes

115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes

115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na

115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening?	yes

115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes

115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	yes

115.82 (a)	Access to emergency medical and mental health services	
	Do inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment?	yes

115.82 (b)	Access to emergency medical and mental health services	
	If no qualified medical or mental health practitioners are on duty at the time a report of recent sexual abuse is made, do security staff first responders take preliminary steps to protect the victim pursuant to § 115.62?	yes
	Do security staff first responders immediately notify the appropriate medical and mental health practitioners?	yes

115.82 (c)	Access to emergency medical and mental health services	
	Are inmate victims of sexual abuse offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate?	yes

115.82 (d)	Access to emergency medical and mental health services	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (a)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility?	yes

115.83 (b)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the evaluation and treatment of such victims include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody?	yes

115.83 (c)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes

115.83 (d)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexually abusive vaginal penetration while incarcerated offered pregnancy tests? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes

115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes

115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes

115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na

115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

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

115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes

115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes

115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes

115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes

115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes

115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes

115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes

115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes

115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes

115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes

115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes

115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes

115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes

115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	no

115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	yes

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

115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes

115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes

115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes

115.403 (f)	Audit contents and findings	
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. In the case of single facility agencies, the auditor shall ensure that the facility's last audit report was published. 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 that there has never been a Final Audit Report issued.)	na