

PREA Facility Audit Report: Final

Name of Facility: Butler County Detention Facility

Facility Type: Prison / Jail

Date Interim Report Submitted: NA

Date Final Report Submitted: 09/09/2019

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: Paul Anthony Perry	Date of Signature: 09/09/2019

AUDITOR INFORMATION	
Auditor name:	Perry, Paul
Address:	
Email:	paul.perry@carolinedf.org
Telephone number:	
Start Date of On-Site Audit:	2019-08-05
End Date of On-Site Audit:	2019-08-07

FACILITY INFORMATION	
Facility name:	Butler County Detention Facility
Facility physical address:	701 S. Stone Road, El Dorado, Kansas - 67042
Facility Phone	(316) 320-7766
Facility mailing address:	701 S. Stone Road, El Dorado, Kansas - 67042

Primary Contact	
Name:	Katina Dunning
Email Address:	kdunning@bucoks.com
Telephone Number:	(316) 322-4190

Warden/Jail Administrator/Sheriff/Director	
Name:	Toby Stewart/ Captain
Email Address:	tstewart@bucoks.com
Telephone Number:	(316) 322-7766

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

Facility Health Service Administrator On-site	
Name:	Brooke Haubenstein
Email Address:	bhaubenstein@bucoks.com
Telephone Number:	(316) 322-7766

Facility Characteristics	
Designed facility capacity:	235
Current population of facility:	176
Average daily population for the past 12 months:	203
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:	18+
Facility security levels/inmate custody levels:	Minimum, Medium, Maximum
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	45
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	11
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	66

AGENCY INFORMATION	
Name of agency:	Butler County Sheriff's Office Detention Division
Governing authority or parent agency (if applicable):	
Physical Address:	701 S. Stone Road, El Dorado, Kansas - 67042
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	Katina Dunning	Email Address:	kdunning@bucoks.com

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.

Audit Narrative

The Butler County Sheriff's Office contracted with PREA Auditors of America, 14506 Lakeside View Way, Cypress, TX 77429 for Prison Rape Elimination Act audit services of the Butler County Detention Facility. The Auditor selected by PREA Auditors of America to perform audit services at the Butler County Detention Facility has been certified by the United States Department of Justice to conduct PREA audits of adult facilities. The purpose of this audit was to determine the Butler County Sheriff's Office level of compliance with standards required by the Prison Rape Elimination Act of 2003. This is the second Prison Rape Elimination Act audit of the Butler County Detention Facility. The facility was previously audited in August 2016.

The Auditor sent two notices by email to the agency's PREA Coordinator on July 2, 2019. One notice was written in English and the other in Spanish. Both notices contained information and an address how offenders were able to confidentially contact the Auditor prior to arriving on site. The notices informed the offender population their communications to the Auditor's address would be treated as confidential correspondence by facility staff. The notice required an agency representative's name and date upon posting the notice in areas throughout the facility. While touring the facility the Auditor observed all notices were posted on July 2, 2019 in all offender living units and various other facility areas. The Auditor received 2 correspondences from inmates before arriving at the facility. While at the facility one inmate specifically requested to speak to the Auditor.

The Auditor received the Butler County Detention Facility's completed Pre-Audit Questionnaire through the secure Online Audit System. Once received, the Auditor immediately began a pre-audit review of the material. The information was submitted by the facility's PREA Coordinator and included; but was not limited to: annual reports, policies, procedures, organizational charts, forms, training materials, educational materials, staffing plan, population reports, Memorandums of Understanding, investigative reports, copies from inmate medical and central records and handbooks.

The Auditor began communications with the PREA Coordinator through email. The Auditor contacted the PREA Coordinator and began dialog through email prior to arriving on site. The Auditor requested additional information periodically from the PREA Coordinator before arriving at the facility. The PREA Coordinator maintained communications with the Auditor and responded to the Auditor's questions, comments, and/or concerns in a timely manner. The Auditor requested several additional documents prior to arriving on site. The PREA Coordinator responded quickly and provided each in a timely manner.

The Auditor received the contact information for the Family Life Center - Safehouse on the Online Audit System. The Auditor chose not to contact the safehouse prior to the audit. The Auditor contacted the safehouse during the onsite visit by using the inmate telephone system. The Auditor reviewed the facility's Memorandum of Understanding with the Family Life Center – Safehouse.

The Auditor received the contact information for the Sexual Assault Nurse Examiner at the Via-Christi St. Joseph's Hospital. The SANE conducts forensic examinations for the BCDF at the hospital. The Auditor contacted a Sexual Assault Nurse Examiner (SANE) with the hospital by telephone. The Auditor discussed the specifics of forensic services offered by the SANE. The telephone interview provided an understanding of the level and scope of services provided to inmate victims of sexual abuse. More details are provided later in this report.

The Auditor conducted a review of the Butler County Detention Facility website (www.bucoks.com). The website includes a link to access the agency's published Prison Rape Elimination Act information. The website includes the agency's zero tolerance and investigative policies, previous PREA report, instructions for filing a third-party allegation, data collection and contact information and a previously submitted Survey of Sexual Victimization.

The Auditor arrived at the Butler County Detention Facility the morning of August 5, 2019. The Auditor met with the PREA Coordinator prior to beginning the audit process. The Auditor introduced himself and discussed the methodology utilized to determine the facility's level of compliance with the standards. The Auditor was offered a tour of the facility after the meeting. The PREA Coordinator accompanied the Auditor on the tour. The Auditor informed the PREA Coordinator he will be informally interviewing staff and inmates during the tour. After completion of the tour the Auditor was offered the facility's conference room to conduct work and to privately interview staff. The Auditor was offered the facility's law library to interview inmates. Neither area had video surveillance or audio recording.

The PREA Coordinator escorted the Auditor through all facility areas. The tour included visits to the administrative, reception, property, control booths, visitation, classrooms, recreation yards, laundry, library, medical, training room, kitchen, and all offender living units. During the tour the Auditor observed for blind spots, opposite gender announcements, the overall level of supervision of the inmate population, staff interactions with the population and camera placements within the facility. Observations were made of PREA posters and other PREA related materials posted throughout the facility.

While touring the facility the Auditor observed staff conducting security rounds, interacting with the offender population, booking procedures, foodservice operations, and making opposite gender announcements. Medical personnel were observed conducting sick call and pill call with inmates. The Auditor observed inmates at recreation, dayroom participation and working in the laundry area. Inmates were observed being processed in the booking area. All inmate cells, restrooms and shower areas were observed to ensure inmates could utilize the restroom, change clothing and shower without staff of the opposite gender observing inmates in the process of such.

While touring the facility the Auditor conducted informal interviews with staff and inmates. The PREA Coordinator allowed the Auditor to informally interview staff and inmates privately on their posts and in living and work areas. The Auditor informally interviewed 4 inmates while touring the facility. Inmates were informally asked the following, but not limit to, questions: if they felt safe in the facility, if they knew how to report an allegation of sexual abuse, if they felt comfortable making an allegation verbally to a staff member, if they have received education regarding the facility's sexual abuse policies, and if they received information regarding sexual abuse and sexual harassment when arriving at the facility. The Auditor informally interviewed 5 staff members during the facility tour. Staff was informally asked the following, but not limit to, questions: if they have received PREA training, if they have had an offender report an allegation to them, what action they would take if they were the first responder to an incident of

sexual abuse, if opposite gender staff make announcements, and if supervisors conduct unannounced rounds. After touring the facility, the Auditor met with the Sheriff and Undersheriff and explained the audit process.

The Auditor conducted a review of supportive documentation provided by facility staff. Supportive documentation provided by the facility included, but was not limited to, policies and procedures, staffing plan, diagrams, Handbooks, training records, employee records, medical records, classification records, investigative files and logbooks. Supportive documentation was reviewed to determine the facility's level of compliance in prevention, detection, and response to sexual abuse and sexual harassment, training and education, risk screening, reporting, investigations, offender discipline, medical and mental health care, and data collection, review and reporting.

The Auditor requested additional supportive records from the PREA Coordinator. In addition to the records provided prior to arriving on site, the randomly and targeted supportive records included investigative reports, personnel and training records (including volunteer and contractors) and inmate medical and classification records while on site. The Auditor visited with day and night shifts during the audit.

Formal interviews were conducted with randomly chosen and specifically targeted inmates. The Auditor utilized the facility's housing report to randomly chose inmates from each living area. Classification records and reports were utilized to choose inmates for targeted interviews. The facility provided the law library for the Auditor to interview inmates without staff and other inmates able to observe or overhear the information exchanged between the Auditor and inmate being interviewed. There was no camera or audio monitoring device located within.

The auditor randomly chose 10 inmates and specifically chose 10 inmates for formal interviews. Inmates specifically chosen for interviews included 1 non-English speaking, 2 who reported victimization in the community, 1 who reported retaliation, 1 ICE detainee, 2 who reported sexual harassment, 1 who reported sexual abuse, 1 who wrote the auditor a letter and 1 who requested to speak to the Auditor while on site. One of the targeted inmates identified as lesbian and 1 identified as gay. There were no disabled, blind or visually impaired, deaf or hard of hearing, disabled or who identified as transgender or intersex housed at the facility while the Auditor was on site.

The Auditor randomly chose 10 inmates from the BCDF population housing list. A sampling of inmates was chosen from each of the facility's living units. During random interviews the Auditor discovered previously victimized inmates who did not report their victimization in the community during the booking process. The Auditor discovered other inmates who were gay and lesbian but did not report that information to staff during the booking process or any time after.

Formal interviews were conducted with staff. The Auditor conducted random formal interviews with 6 staff members and specialized interviews with 15 staff members. Specialized interviews were conducted with intake, classification, medical practitioners, investigator, incident review team member, supervisors, intermediate and high-level staff, PREA Coordinator, line staff, retaliation monitor, command staff, facility head, volunteer, contract, Human Resources, and first responders. Formal staff interviews were conducted in a private office.

The Auditor concluded the onsite portion of the audit on August 7, 2019 in an exit meeting with the following personnel:

- Kelly Herzet – Sheriff
- Tony Wilhite – Undersheriff
- Toby Stewart – Captain
- Floyd Hunt – Captain
- Charles Jackson – Lieutenant
- Katina Dunning – Lieutenant (PREA Coordinator)
- Tracey Burnett – Lieutenant
- Daniel Flower - Detective

The Auditor informed the group the on-site portion of the audit was completed but the Auditor still had work reviewing documents provided by facility staff. The PREA Coordinator was informed the Auditor may request additional information and documentation within the next few weeks. The group was informed the Auditor did not encounter any major problems while on site. The Auditor briefed staff in the exit meeting with the Auditor's experiences during the tour, reviewing documents and interacting with staff and inmates. The Auditor informed the group BCDF staff treated the Auditor with respect, were cooperative, professional and receptive during formal and informal interactions. The inmate population was respectful and cooperative with the Auditor. All inmates and staff interviewed were knowledgeable in the facility's policies and procedures regarding the Prison Rape Elimination Act. Facility operations appeared to be well managed while the Auditor was on site. The facility appeared to be in good condition and the inmate population appeared calm during the onsite portion of the audit. No major complaints were exposed to the Auditor by inmates during the audit.

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 Butler County Detention Facility is a single building facility located in South Central Kansas in El Dorado. The facility is 71,644 square foot and sits on 34.5 acres near the Walnut River just off State Highway 54. Wichita State University is an approximate 50-minute drive to the west. El Dorado lake is located just to the northeast of the facility. The Butler County Detention Facility was established and opened its doors in 2003. The BCDF houses minimum, medium and maximum custody adult male and female inmates. The facility has a rated capacity of 235 beds and is not accredited by any other agencies or organizations.

The facility has five inmate living units. There are four male and one female living unit. The female living unit is an open bunk style housing unit. There are 19 bunk style beds in the unit that potentially houses up to 38 female inmates. The living unit has showers adjacent to the dayroom. Each shower has a $\frac{3}{4}$ door that allows the inmate to shower without staff of the opposite gender seeing them do so. There are toilets and sinks adjacent to the dayroom. Each toilet is protected with a door. Inmates can watch television and utilize telephone in the dayroom. There is sufficient seating and tables in the unit. Inmates can utilize a connecting outdoor recreation area anytime they are allowed access to the dayroom. The living unit has 2 video visitation units and one kiosk in the dayroom. The Auditor observed sexual abuse and sexual harassment information posted in the dayroom. The dayroom also includes information posted for U.S. Marshal Service inmate and relevant ICE posters for ICE detainees. There are cameras that monitor the dayroom and outdoor recreation yard. Supervision in the female unit is conducted directly by one staff member 24/7.

Pod A is a male minimum custody living unit. The unit is directly supervised by a staff member 24/7. The unit includes a mixture of bunk style beds, double bunked cells and single occupancy cells. There are 16 bunk style beds on the lower floor. The mezzanine level has 14 cells, 6 of which are single cells and the remaining 8 are double bunked cells. The living unit can house 54 inmates. All cells on the mezzanine level have a toilet and sink inside the cell. There are showers located at the end of the upper level for those housed on the mezzanine level. The showers have a $\frac{3}{4}$ door to ensure inmates can shower separately and privately. The lower level has the same style showers adjacent to the dayroom. The dayroom has tables, chairs, televisions and telephones available for the population. There are 2 video visitation units and one kiosk in the dayroom. Inmates can access the outdoor recreation area anytime they are offered dayroom privileges. The Auditor observed posted PREA, U.S. Marshall and ICE specific information for inmates. There are cameras that monitor the recreation yard and dayroom.

B Pod is a male segregation living unit that houses up to 55 male inmates. This unit is unique as it has 14 single cells, 6 upstairs and 8 downstairs separated from the rest of the living unit. These separated cells are utilized for segregated inmates. The 8 cells on the lower level are further separated in half by a divider wall. Each divided section is divided with a clear lexan divider. The rest of the segregation area has 14 cells on the lower level, 9 of which are single cells, the rest being double bunked. The upstairs has 14 cells, 6 of which are single, the rest being double bunked. The main area in this unit houses

inmate who are awaiting classification. These inmates are in the unit less than 72 hours. Showers in the unit are upstairs and downstairs and have a door so the inmates can take a shower without staff of the opposite gender viewing them and allows for privacy. The dayroom is monitored by cameras while staff provide direct supervision 24/7. Inmates in the main area have access to the recreation yard anytime they are provided dayroom activities. Each cell in the segregation living unit has a toilet and sink inside. There are tables, televisions and telephones available in the dayroom. There is one kiosk and one video visitation unit available. The Auditor observed posted PREA material and relevant U.S. Marshall and ICE detainee information. There is a small medical room located in the corridor that connects A and B pods. This room is utilized by medical personnel to limit the amount of movement in and out of the segregation area.

C Pod is a male maximum custody living unit. The unit has 14 lower and 14 upper cells. Each cell in C Pod is double bunked. There are showers both upstairs and downstairs. All showers have doors to ensure inmates can shower separately and privately. The dayroom has tables, chairs, televisions and telephones available to the inmates. There are 2 video visitation units and one kiosk available in the dayroom. Cameras monitor dayroom activities while staff provide direct supervision during hours when inmates are allowed in the dayroom. Inmates can access the recreation yard directly from the dayroom when dayroom privileges are afforded. Sinks and toilets are provided in each cell.

D Pod is a male medium custody living unit. The unit has 14 lower and 14 upper cells. Each cell in D Pod is double bunked. There are showers both upstairs and downstairs. All showers have doors to ensure inmates can shower separately and privately. The dayroom has tables, chairs, televisions and telephones available to the inmates. There are 2 video visitation units and one kiosk available in the dayroom. Cameras monitor dayroom activities while staff provide direct supervision during hours when inmates are allowed in the dayroom. Inmates can access the recreation yard directly from the dayroom when dayroom privileges are afforded. Sinks and toilets are provided in each cell.

There is a Housing Control Room centrally located between A, B, C, and D pods. The control room is staffed by a trained security officer. The security officer monitors cameras, controls access and controls lights, water and power from a touch screen computer station. The facility has a Main Control Room that is staffed by one trained security officer. The security officer controls access in, out and throughout the facility. The officer monitors camera, controls lights, water and power. The control room officer has the ability to take over the housing control room in the event needed.

The facility's medical area has 3 medical cells. Two of the 3 cells have showers inside the cell. All 3 cells maintain negative pressure to house inmates with a communicable disease. One of the medical cells has a camera inside to monitor those who need intensive supervision. The medical area consists of treatment rooms, exam rooms, records room, offices, pharmacy, bio-hazard room, storage, nurse's station and restroom and shower. The facility's medical services are contracted with Advanced Correctional Healthcare (ACH). ACH employs 4 nursing staff and has a doctor who reports to the facility one time each week. ACH employs a mental health counselor who works 1 time each week.

The facility has a laundry room that is monitored by cameras. One inmate works in the laundry area by himself. He washes laundry and delivers clean clothing to each living unit. The visitation area is located at the front entrance of the facility. Visitation is conducted through video visitation booths.

The facility's booking area consists of 6 cells. The Booking Officer has a magnetic sign to place on the door when females are housed in any booking cell. Each cell in the booking area has a toilet and sink

inside, protected from normal view. There is a fingerprint room, clothing changeout room, property room, officer's station and a restroom with a locking door. Inmates are not allowed in the property room. There are cameras that monitor activity in the booking area. The Auditor observed posters and other sexual abuse and sexual harassment related material posted on the walls in the booking area.

Facility cameras are strategically located throughout all facility areas with video recording capabilities. Cameras that monitor the facility outside areas have pan, tilt and zoom features. Cameras are monitored by a trained control center officer 24/7 on multiple monitors. The control center officer has capabilities to directly access any camera in the facility and view multiple cameras simultaneously on multiple monitoring stations. Cameras are located in housing units, corridors, medical, kitchen, laundry, booking, outside areas, recreation yards and two cells.

The BCDF kitchen area has walk-in refrigerator and freezers, dry storage, offices, and restrooms. Cameras monitor work activities in the food services area. Facility food services are contracted with Summit Food Services. Summit contract personnel cook the food while BCDF staff deliver food to each living unit. Summit does not employ or work inmates in the kitchen area. Security staff will supervise inmates who clean the kitchen in the evenings after Summit personnel have exited the kitchen. The Kitchen has cameras that monitor activities.

On the first day of the Audit there were 188 inmates incarcerated in the Butler County Detention Facility. The age of the youngest inmate was 18 while the oldest was 69. The demographics of the facility are as follows:

Males – 153

Females – 35

African Americans – 50

White – 136

Asian/Pacific – 1

Unknown – 1

African American Males – 41

African American Females – 9

White Males – 110

White Females – 26

Asian/Pacific Males – 1

Unknown Males – 1

The demographics of age ratio is as follows:

Male Female

-18 0 0

18-20 13 1

21-29 46 10

30-39 53 14

40-49 31 8

50-59 7 1

60-69 3 1

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 Auditor found the facility's staff appeared to be well trained in the facility's policies and procedures regarding prevention, detection, and response to sexual abuse and sexual harassment incidents. Staff formally and informally interviewed by the Auditor were knowledgeable regarding the agency's policies, maintained the information provided during training and understood their roles in prevention, detection and response to sexual abuse and sexual harassment allegations. Both security and non-security personnel understood their roles as first responders to incidents of sexual abuse. The Auditor determined the facility's sexual abuse and sexual harassment training and zero-tolerance efforts have been supported by command staff.

The Auditor determined the inmate population understood the avenues available for reporting allegations of sexual abuse and sexual harassment. The inmate population was able to articulate information related to the facility's comprehensive education and information provided to inmates upon booking. The population appeared to be knowledgeable regarding the agencies sexual abuse and sexual harassment response policies. Although most of the population interviewed elected not to watch the comprehensive education, the Auditor determined the inmates were knowledgeable regarding the facility's prevention, detection and response to sexual abuse and sexual harassment. The Auditor made a recommendation to the facility to address the refusal to watch the comprehensive educational video; details are stipulated later in this report. The inmate population felt safe within the facility and had confidence in staff's ability to protect them from and respond to sexual abuse and sexual harassment.

Facility staff and inmates were receptive and respectful to the Auditor. Facility staff were very helpful in providing additional documentation to the Auditor when requested. The facility appeared to be maintained at a satisfactory sanitation level which aids in maintaining a safe and secure environment for the population. The Auditor received no major complaints from the inmate population. Several detainees complained about one staff member to the Auditor. The Auditor relayed those complaints to the Operations Captain and maintained confidentiality of the inmates who verbalized the complaints to the Auditor. Those complaints were not related to sexual abuse or sexual harassment. All areas of the facility were made accessible to the Auditor during the tour and any other time when asked by the Auditor.

After conducting the onsite portion of the Butler County Detention Facility's audit, the Auditor found the facility's leadership takes a proactive approach in making prevention, detection, and response to sexual abuse a priority in the facility. The facility has been successful in establishing a zero-tolerance culture. The culture is not only maintained by staff, it is also maintained within the inmate population. Inmates

formally and informally interviewed by the Auditor stated they have not heard of or witnessed an incident of sexual abuse at the facility. Inmates were confident staff would appropriately respond to such incidents. Staff informed the Auditor such activity is not tolerated at the facility. The Auditor determined compliance with the PREA standards for the protection of the inmate population is taken seriously at the facility.

The Auditor made several recommendations to the Butler County Detention Facility to strengthen its level of compliance with the PREA standards. Those recommendations are included in the appropriate section in this report. The Auditor discovered a need to update the facility's policy regarding standard 115.63. The facility updated its policy; details of the actions taken by the facility are included in the 115.63 section of this report.

The Auditor found the facility met each PREA Standard and therefore did not require any further corrective action(s).

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>Auditor Discussion:</p> <p>The Butler County Detention Facility (BCDF) has established a zero-tolerance policy towards all forms of sexual abuse and sexual harassment. The facility's policy is to provide a safe, humane, and appropriately secure environment, free from threat of sexual abuse or sexual harassment for all inmates, by maintaining a program of prevention, detection, response, investigation and tracking of all reported sexual abuse and sexual harassment incidents. The BCDF's policy includes definitions of the following:</p> <ul style="list-style-type: none"> • Sexual Abuse; • Sexual Harassment; and • Voyeurism <p>The facility's policy includes prevention, detection and response steps to assist in its efforts towards creating a zero-tolerance culture. The policy includes, but is not limited to, the following prevention, detection and response techniques:</p> <ul style="list-style-type: none"> • Inmate education; • Screening inmates for risk of victimization and abusiveness; • Medical and mental health evaluations; • Medical and mental health treatments; • Individualized classification assignments; • Reassessments of inmates; • Staff training; • Volunteer and contractor training; • Special accommodations for inmates with disabilities; • Mandatory reporting of sexual abuse; • Investigations; • Employee, contractor and volunteer screening; • Written coordinated response plan; • Staff first responder duties; • Reporting investigative results to inmates; • Protections against retaliation; • Forensic evidence collection; • Maintaining separation of victims and abusers; and • Management of sexual abusers. <p>The Butler County Detention Facility's policy stipulates the designation of an upper-level, PREA Coordinator with sufficient time and authority to develop, implement, and oversee its efforts to comply with the PREA standards. The policy stipulates the following responsibilities of the PREA Coordinator:</p> <ul style="list-style-type: none"> • Assist with the development and implementation of PREA-related policies; • Develop and coordinate procedures to triage allegations received and identify, monitor, and

track incidents of sexual abuse;

- Identify and track referrals of allegations to law enforcement and prosecutors;
- Develop and implement a comprehensive system to audit compliance with PREA policies and applicable laws;
- Keep management informed of PREA-related issues;
- Maintain a memorandum of understanding for external victim advocacy;
- Maintain PREA content for the department website, including publication of required information and documents; and
- Ensure training conducted for all staff on PREA compliance and policy.

The BCDF has a policy to discipline staff, contractors, volunteers and inmates who have violated the agency's sexual abuse and sexual harassment policies. The policy includes sanctions up to and including termination for violating BCDF's sexual harassment policies. The policy makes termination the presumptive discipline sanction for staff who engage in sexual abuse.

Evidence Relied Upon:

Policy – 116.1 – Zero Tolerance Policy pg. 1-4

Policy – 116.18 – Sanctions for Individuals Found to have Participated in Sexual Abuse or Sexual

Harassment pg. 1

Facility Organizational Chart

Staff Interviews

Inmate Interviews

Observations

Analysis/Reasoning:

The Auditor conducted a review of the Butler County Detention Facility's Zero Tolerance policy. The facility's policies include the agency's prevention, detection, and response approaches towards sexual abuse and sexual harassment of inmates. The facility's prevention, detection and response techniques were included in various areas of the policy. The Auditor discussed the possibility of consolidating the techniques into one policy with the PREA Coordinator.

The Auditor reviewed the facility's Organizational Chart. The Organizational Charts outlines the title of the staff member assigned to perform the duties of the PREA Coordinator. The facility has designated a Lieutenant as the PREA Coordinator. The PREA Coordinator is employed at a level in the agency to develop, implement, and oversee facility efforts to comply with the Prison Rape Elimination Act. The PREA Coordinator reports directly to the Operations Captain. The Operations Captain is the head of the facility.

The agency's policy includes responsibilities of the PREA Coordinator. The Auditor clearly established the chain of command allows the facility's PREA Coordinator the ability to take steps to improve or address PREA related compliance efforts and/or responses within the agency.

Interactions the Auditor had with the PREA Coordinator prior to arriving at the facility assisted the Auditor in determining the PREA Coordinator has sufficient time to oversee facility PREA

efforts. The Auditor made several requests for addition information prior to arriving on site. The PREA Coordinator quickly responded to the Auditor's questions, concerns, and comments before and during the site visit. The onsite visit helped demonstrate the PREA Coordinator's ability to oversee facility PREA efforts.

The Auditor conducted both formal and informal interviews with random and targeted offenders. The Auditor was able to determine the agency has successfully created a zero-tolerance culture towards sexual abuse and sexual harassment. The Auditor asked each inmate during interviews if they had heard of or witnessed an incident of sexual abuse at the facility. No inmate stated they had. The Auditor was informed staff do take incidents of sexual abuse and sexual harassment seriously at the facility. The inmate population appeared well educated regarding the facility's policies and procedures towards prevention, detection and response to sexual abuse and sexual harassment. Inmates informed the Auditor they are provided information upon booking and are offered a PREA video.

The Auditor asked each inmate interviewed if they felt safe in the facility. Each informed the Auditor they did feel safe. The Auditor asked each if they felt confident enough in staff to verbally report an allegation of sexual abuse or sexual harassment. Each inmate stated there is staff they feel confident with to be able to verbally report an allegation. Each inmate informed the Auditor they have seen the posted PREA information around the facility, including in the living units.

The Auditor conducted both formal and informal interviews with facility staff. Facility staff was well trained and understood the agency's policies and procedures towards prevention, detection, and response to sexual abuse and sexual harassment. Staff was asked who they discuss allegations of sexual abuse and sexual harassment with. Staff informed the Auditor they report to supervisors or investigators and do not discuss the details with anyone unless they have a "need to know." Staff were aware the facility has a written policy prohibiting them from discussing incidents of sexual abuse and sexual harassment with anyone other than those who make housing and treatment decisions and investigators. Each staff member interviewed by the Auditor had attended PREA training in 2019 and stated they receive the training annually.

The Auditor attended a shift briefing. The shift had played a game similar to the television show, Jeopardy. One of the categories for staff to select included questions regarding the facility's sexual abuse and sexual harassment policies and procedures. Staff informed the Auditor they review PREA information periodically during shift briefings.

The facility's command staff maintains an "open door" policy in which a staff member can approach and discuss any concerns, including those that may be related to sexual abuse and sexual harassment prevention, detection and response. The Auditor asked random staff if they felt comfortable reporting an allegation of sexual abuse to a command staff member if need be. Staff stated they did feel comfortable in doing such. During interviews the Auditor asked staff if they had the ability to privately report an allegation of sexual abuse. Staff informed the Auditor they could privately report an allegation through the hotline telephone number.

The Auditor conducted interviews with several command staff members, including the

Operations Captain. Command staff maintain an open-door policy to all staff and prioritize PREA compliance. The Auditor felt the facility's zero-tolerance culture was achieved through support at the command staff level in the facility. The command staff clearly support employees in their efforts to prevent, detect and respond to sexual abuse and sexual harassment. The Sheriff supports staff at the detention facility and provides available resources to ensure compliance with the PREA standards.

Conclusion:

The Auditor conducted a thorough review of the facility's policies and procedures, Organizational Chart, made observations and interviewed staff and inmates. The Auditor determined the facility has developed an appropriate zero tolerance policy which includes prevention, detection and response techniques to all allegations of sexual abuse and sexual harassment. An appropriate staff member has been designated to develop, implement, and oversee the facility's PREA efforts. The BCDF has successfully created a zero -tolerance culture towards all forms of sexual abuse and sexual harassment.

The Auditor recommended the facility review and consider consolidating its prevention, detection and response approaches in the facility's policy 116.1 Zero Tolerance. Consolidating this information will give staff a better understanding of the overall approach towards prevention, detection and response to allegations of sexual abuse and sexual harassment.

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility has not entered into or renewed a contract for the confinement of its inmates since the last PREA audit. The facility's policy stipulates the Butler County Detention Facility does not utilize other agencies or private entities to house its offenders. The facility has a policy which requires any new contract or contract renewal include the obligation for the contracting agency to adopt and comply with PREA standards. The policy stipulates the Butler County Sheriff's Office will monitor the contractor for compliance with those standards. The facility has adopted this policy in the event a need arises for confinement of the facility's inmates.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.26 – Contracting with Other Entities for the Confinement of Inmates pg. 1 Interviews with Staff</p> <p>Analysis/Reasoning:</p> <p>The Butler County Detention Facility does not contract for confinement of BCDF inmates. Interviews with command staff reveal the facility does not contract with any agency to hold inmates from the Butler County Detention Facility.</p> <p>Conclusion:</p> <p>The Auditor reviewed agency policies and conducted interviews with staff. The Auditor determined the Butler County Detention Facility meets the requirements of this standard.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility has a policy which requires the adoption and implementation of a staffing plan. The facility’s policy stipulates the BCDF will make its best efforts to comply with the staffing plan and will document circumstances where the staffing plan is not complied with. An annual review of the staffing plan is required to assess and determine whether adjustments are needed to the staffing plan, video monitoring systems and other technologies. The PREA Coordinator is required to collaborate during the annual staffing plan review.</p> <p>The agency’s policy requires Corporals and Sergeants to conduct and document unannounced rounds at least once per shift, in all areas of the facility, to identify and deter staff sexual abuse or harassment. The requirement applies to both day and night shifts. Staff members are prohibited by policy of alerting other staff as to when or where these rounds are occurring, unless related to the legitimate operational needs of the facility. Supervisors are required to document their unannounced rounds in the facility’s Computerized Jail Records Management System. Supervisors are also required by policy to periodically monitor facility video cameras to identify and deter staff sexual abuse and sexual harassment.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.2 – Staffing Plan/Video Monitoring and Unannounced Supervisor Rounds pg. 1-2 Butler County Detention Facility Staffing Plan Butler County Detention Facility Staffing Analysis PREA Staffing Plan Reviews Staffing Log Shift Rosters Interviews with Staff Interviews with Inmates Observations</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the Butler County Detention Facility’s staffing plan. The staffing plan was modified November 1, 2018 and again on January 1, 2019. The current staffing plan includes the following considerations:</p> <ul style="list-style-type: none"> • Generally accepted detention and correctional practices; • Any judicial findings of inadequacy; • Any findings of inadequacy from federal investigative agencies; • Any findings of inadequacy from internal or external oversight bodies; • All components of the facility’s physical plant (including “blind-spots” or areas where staff or Inmates may be isolated); • The composition of the inmate population; • The number and placement of supervisory staff; • Institutional programs occurring on a particular shift;

- Applicable State or local laws, regulations, or standards;
- Prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- Any other relevant factors.

The staffing plan reviewed by the auditor included provisions for video monitoring technology. Staff supervision is supplemented with 95 video cameras placed strategically throughout the facility. Cameras monitor housing units and 2 inmate cells. Video monitoring technology is installed in other facility areas such as facility corridors, laundry, kitchen, common areas and all other areas where inmates would travel. The facility's staffing plan includes provisions for administrative, support, and security positions on all shifts in all facility areas.

The facility conducts an annual review of its staffing in accordance with the elements of this standard. Staff will review the staffing plan as needed. The Auditor reviewed the staffing reviews from the previous 12 months. The PREA Coordinator participated in the facility's staffing plan review. The staffing plan review included the following considerations:

- All previously listed bulleted items;
- Deployment of video monitoring systems;
- Resources available to the facility;
- Deviations from the staffing plan.

The staffing plan review determined the current staffing plan is adequate for the protection of the inmate population. The team discussed utilizing scheduled overtime to account for shift shortages that cause deviations in the facility's staffing plan. Daily deviations in the staffing plan are documented on the PREA Staffing Log. The reason for staff absences are recorded in the staffing log by the Shift Commander. The most common reason for deviations from the BCDF staffing plan was staffing calling out sick.

The Butler County Detention Facility 's current staffing plan was predicated utilizing 235 as the average daily inmate population. The facility is currently authorized 58 full time positions. There are 55 security and 4 non-security positions authorized. At the time of the audit the facility had 12 security and 1 non-security vacancies. The facility was 78% staffed at the time of the audit. Security staffing was 22% below total while non-security staffing was 25% below capacity. The staffing ratio as designed allows 1 staff member for every 4 inmates. The facility makes its best efforts to comply with the staffing plan by continual recruitment, filling vacant positions with staff on overtime and adjusting schedules and operations as needed.

The facility's staffing plan appears adequate to provide protection to inmates from sexual abuse. During a tour of the facility the Auditor observed staff making security rounds in living units and support areas of the facility. The Shift nurse was seen conducting pill call. Security and contract staff were observed conversating professionally with the inmate population. The Auditor observed camera placements throughout the facility. Cameras were strategically placed to assist in the prevention, detection, and response to incidents of sexual abuse. A review of PREA Staffing Logs reveals Shift Commanders document absences from work daily. The Auditor reviewed shift rosters. Shift rosters include adequate staffing assigned to each shift.

While touring the facility the Auditor observed notations of unannounced supervisory rounds

throughout all facility living units. The unannounced rounds were notated electronically in the facility's management system. The unannounced security rounds were conducted by intermediate and higher-level supervisors. The Auditor requested additional unannounced supervisory rounds logs from the PREA Coordinator. The Auditor requested to review the logs from the previous 2 months while on site. The PREA Coordinator provided the logs. The logs reveal intermediate and higher-level supervisors are documenting their unannounced rounds.

The Auditor conducted formal and informal interviews with staff and supervisors from each shift. Staff was asked if supervisors conduct unannounced rounds throughout the facility. Staff from the various shifts reported that supervisors do make unannounced security rounds. Supervisors informed the Auditor they make unannounced rounds throughout the entire facility. The Auditor asked supervisors how they keep staff from alerting other staff when they are making unannounced rounds. Supervisors informed they do not let staff know when they are conducting the rounds. Supervisors informed the Auditor they vary their routes and times so staff and inmates will not be able to predict a pattern.

The Auditor asked supervisors what actions they would take if they learned a staff member was alerting other staff supervisors were conducting unannounced rounds. The Auditor was informed they would speak to the staff member on the first incident; if the staff member was caught a second time, they would begin formal discipline procedures. The Auditor asked line staff if they notify others of supervisory rounds. Staff was aware they are prohibited from alerting other staff of supervisory rounds.

The Auditor conducted formal and informal interviews with inmates. Inmates were asked if supervisors always announce their presence when entering a housing unit. Female inmates informed the Auditor male supervisors do announce their presence after entering the unit. Male inmates stated female supervisors announce their presence after entering but they do not always hear them do so. After asking additional questions those inmates informed the Auditor, they may be in their cells at the time the female supervisor enters.

The Auditor asked inmates if they feel safe in the facility. All inmates interviewed by the Auditor stated they do feel safe in the facility. Inmates did inform the Auditor staff interact professionally with the population and respond appropriately to incidents. The Auditor received complaints about one female staff member from several female inmates. The complaints were relayed to the head of the facility. During a tour of the facility the Auditor observed staff in various areas of the facility, including living units. Cameras were strategically placed in all areas of the facility.

The facility was under no consent decrees, and had no judicial findings of inadequacies, or findings of inadequacies from a federal, internal, or external oversight body at the time of the audit.

Conclusion

The Auditor concluded the facility has an adequate staffing plan and makes its best effort to comply with the plan to ensure the protection of inmates from sexual abuse. The Auditor reviewed policy and procedures, BCDF Staffing Plan, PREA Staffing Logs, Shift Rosters, annual staffing plan review, made observations, and conducted interviews with staff and inmates. The facility conducts an annual staffing plan review as required by this standard. The

Auditor determined the Butler County Detention Facility meets the requirements of this standard.

115.14	Youthful inmates
Auditor Overall Determination: Meets Standard	
Auditor Discussion	
<p>Auditor Discussion:</p> <p>The agency has a policy that states, “Inmates under the age of 18 years will not be housed at the Butler County Detention Facility regardless of adjudicated status. Youthful inmates are transported to a Juvenile Detention Facility.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.3 – Youthful Inmates pg. 1-2 Population Reports Interviews with Staff Interviews with Inmates</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the facility’s Youthful Inmates policy. Although policy stipulates the facility will not house youthful offenders, the policy includes the following requirements for housing youthful offenders:</p> <ul style="list-style-type: none"> • Prohibits placing youthful offenders in a housing unit in which they will have sight, sound or physical contact with adult inmates using shared dayroom or other common space, shower area, or sleeping quarters; • In areas outside of housing units staff maintain sight and sound separation between youthful and adult inmates, or provide direct staff supervision when there is sight, sound or physical contact; • Facility will make its best efforts to avoid placing youthful inmates in isolation to comply with the standard; • Absent exigent circumstances, the facility will not deny youthful inmates daily large-muscle exercise and any legally required special education services to comply with standards; and • Youthful inmates will have access to other programs and work opportunities to the extent possible. <p>The Auditor reviewed facility population reports. Population reports reviewed by the Auditor revealed all inmates were 18 years of age or older. The Auditor found no evidence of a youthful inmate or an inmate under the age of 18 who was tried and certified as an adult inmate during the previous 12 months. During the facility tour the Auditor observed an area adjacent to the vehicular sallyport notating juvenile housing. The area had 2 cells in a corridor. Both cells had female adult inmates inside. This area was previously used to house youthful inmates. The facility no longer holds juvenile offender. Juvenile inmates are sent directly to a facility dedicated to house juveniles. The facility uses the two cells as disciplinary and administrative segregation for female inmates as there is only one female housing unit.</p> <p>The Auditor conducted formal and informal interviews with staff. Staff informed the Auditor they do not incarcerated youthful inmates at the Butler County Detention Facility. The Auditor asked staff if they have housed an offender under the age of 18 who had been certified and tried as an adult. Some staff stated the facility housed them years ago but have not done so</p>	

since they came into compliance with PREA standards. The Auditor asked offenders in formal interviews if they were aware of a youthful inmate being housed in the facility. No inmate was aware of a youthful inmate housed in the facility.

The Auditor interviewed staff members who supervise inmates in the segregation housing area. The Auditor asked if a youthful inmate has ever been housed in the segregation housing unit. The Auditor was informed the facility has never housed a youthful inmate in either the male or female segregation areas. Booking staff informed the Auditor juveniles are not brought to the facility for processing. They are transported directly to a juvenile facility.

Conclusion:

The Auditor reviewed facility policies and procedures, population reports and interviewed staff and inmates to determine the facility meets the requirements of this standard. The Butler County Detention Facility has not housed a youthful inmate during this audit period.

115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility has a policy which prohibit staff from conducting cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances or when performed by medical professionals. This policy is also applicable to viewing of cameras. The BCDF’s policy prohibits cross-gender pat-down searches of female inmates, absent exigent circumstances. All cross-gender strip searches and cross-gender pat-down searches of female inmates are required to be included in the facility’s electronic Jail Management Records System as an Incident and must describe what the exigent circumstances were. Policy stipulates the BCDF will not restrict female inmates’ access to regularly available programs or other out-of-cell opportunities in order to comply with this standard.</p> <p>The Butler County Detention Facility’s policy permits female security staff to conduct cross-gender pat-down searches of male inmates.</p> <p>The BCDF policy enables inmates the opportunity to shower, perform bodily functions, and change clothing without nonmedical personnel of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks.</p> <p>Policy prohibits staff from conducting a search of a transgender or intersex inmate for the sole purpose of determining the inmate’s genital status. If staff cannot determine an inmate’s genital status, they are to determine through conversation with the inmate, reviewing medical records, or a medical examination conducted as part of a regular medical examination required of or offered to all inmates. Staff are required to conduct cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.</p> <p>BCDF policy requires staff of the opposite gender of the offenders announce their presence when entering inmate housing areas.</p> <p>Evidence Relied Upon:</p> <ul style="list-style-type: none"> Policy – 116.4 – Cross Gender Viewing and Searches of Transgender Inmates/Cross Gender Announcements pg. 1-2 Cross-Gender Dress Out Narrative Training PowerPoint Presentations Training Attendance Records Interviews with Inmates Interviews with Staff Observations <p>Analysis/Reasoning:</p> <p>The Auditor reviewed shift rosters of each shift. All shifts maintained both male and female</p>

security staff to ensure inmates are searched by a staff member of the same sex. Female inmates were asked if they had ever been denied access to any program or activity because a female staff member was not available to conduct a search. No female had been denied an activity or program for such reason. No staff member interviewed by the Auditor stated they had ever conducted a cross gender pat-down or a cross gender strip search. Staff were asked if they had been trained how to conduct cross-gender searches. Each security staff member stated they had been trained to conduct cross-gender pat-down searches of inmates.

Interviews with inmates reveal they can shower, perform bodily functions, and change clothing without security staff of the opposite gender seeing them do so. Inmates stated staff of the opposite gender announce their presence when entering living units. Some inmates informed the Auditor staff do not always announce their presence when entering but do so “for the most part.” Male inmates were asked if female staff conduct strip searches of male inmates. No male inmate had seen or heard of female staff conducting strip searches of male inmates. Female inmates were asked if male staff conducted pat-down or strip-searches of female inmates. Each female inmate interviewed stated the male staff do not conduct those types of searches. Each inmate interviewed by the Auditor was asked if they were ever fully naked in front of a staff member of the opposite gender. Each interviewed stated “no.”

Interviews with staff members reveal only female staff perform cross-gender pat-down searches. All staff interviewed by the Auditor stated cross-gender strip-searches are only conducted in exigent circumstances. No security staff member conducts body cavity searches. Those searches are conducted by medical personnel. The Auditor asked each staff member if offenders were able to shower, perform bodily functions, and change clothes without them seeing the offenders do so. Each staff member interviewed stated “yes.” The Auditor asked each female staff member if they announce their presence when entering a living unit of the opposite gender. Each female staff member stated they do announce their presence when entering opposite gender living units. The Auditor asked male staff if they announce their presence when entering female living units. The Auditor was informed they do announce their presence when entering.

The Auditor did not interview a transgender or intersex inmate during the audit as there were no inmates who identified as such during the time of the audit. During interviews with staff the Auditor discovered the facility had housed a transgender in the past. Staff were asked who conducted the pat-down and strip searches. The Auditor was informed a female staff member conducted the pat-down searches of the transgender inmates. Staff informed the Auditor a male staff member conducted the strip-search of the transgender. The Auditor discovered the inmate was a trans-female inmate. The Auditor asked each staff member interviewed if they would conduct a strip-search to determine an inmates’ genital status. Each staff member stated they do not conduct such searches. The Auditor asked how they would determine the inmate’s genital status if it was unknown. Most informed they would ask the inmate, review the inmate’s paperwork or contact a supervisor or medical staff.

The facility reported 3 incidents of cross-gender strip searches conducted in the past 12 months. After reviewing written documentation, the Auditor determined none of the 3 incidents were strip searches conducted by an opposite gender staff member. Opposite gender staff were involved in the initial incident and were removed from the area once the inmate’s clothes were removed.

Female security staff at the BCDF can conduct cross-gender pat-down searches but not cross-gender strip searches, unless exigent circumstances exist. Male and female staff are assigned to the booking area. If no female staff member is available to conduct a search of a female inmate, one is utilized from the shift. Facility staff are required to document any cross-gender strip searches and males are required to document cross-gender pat-down searches on an Incident Report.

The Auditor conducted a detailed tour of the facility and was granted access to all inmate living units, programming and other support areas. The Auditor observed all shower and restroom areas in the facility. All showers are adjacent to dayroom areas and are protected with either a 3/4 door or solid door to allow offenders the opportunity to shower without a staff member of the opposite gender seeing their breast, buttocks or genitalia. Open style living units have toilets adjacent to the dayroom that are protected with a 3/4 door. Other living units have toilets inside each cell. Offenders can utilize the restroom and change clothes without staff of the opposite gender viewing their buttocks or genitalia. The facility permits male security staff to work in the female living unit. Females in the unit are able to change clothes, shower and use the restroom without male staff seeing them do so.

The Auditor conducted a review of the facility's training PowerPoint and training attendance rosters. The facility utilizes the Guidance on Cross Gender and Transgender Pat Searches video published by the National PREA Resource Center. The video is maintained on YouTube and lasts 32.20 minutes. The video teaches how to conduct cross-gender pat searches and searches of transgender and intersex inmates in the least intrusive and professional manner. The search training video includes the following sections:

- Introduction to cross-gender pat searches;
- Conducting cross-gender pat searches;
- Searches of transgender and intersex inmates and residents; and
- Summary of key points

The Auditor observed a portion of the facility's training includes how to interact professionally and respectfully with transgender and intersex inmates. The Auditor asked several male and female randomly chosen staff to explain how a search of a transgender inmate should be conducted. Staff informed the Auditor they do not use pronouns and treat the inmate with respect. They demonstrated how the actual search would be conducted. Staff informed the Auditor they treat all inmates with respect. During interviews with staff the Auditor determined staff had been trained how to conduct searches of transgender and intersex offenders professionally and respectfully.

The Auditor reviewed training records and verified all security personnel had attended an initial training to conduct searches, including cross-gender searches. Each security staff member attends an annual PREA training. The annual refresher training includes the agency's policies related to sexual abuse and sexual harassment prevention, detection, intervention and response techniques. Staff sign a Staff Training Acknowledgement form of their understanding of the training they received.

The Auditor interviewed staff and inmates. Staff were asked if they make opposite gender announcements when entering inmate living units. Each staff interviewed stated they do make such announcements. The Auditor asked inmates if staff make opposite gender announcements when entering their living unit. Some inmates informed staff do not always make opposite gender announcements. The Auditor did determine through further conversations with the inmates they are not always able to hear the staff member make an opposite gender announcement. Some inmates stated they may be asleep or just not paying attention when the announcement is made.

Conclusion:

The Auditor concluded staff had been appropriately trained to conduct cross-gender searches and make opposite gender announcements when entering inmate living units. Inmates in BCDF can shower, change clothing, and use the restroom without nonmedical staff of the opposite gender seeing them do so. Staff has been trained to treat transgender and intersex inmates professionally and respectfully. The Auditor reviewed the agency's policies and procedures, training documents, made observations and interviewed staff and inmates and determined the facility meets the requirements of this standard.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The agency has a policy to ensure inmates with disabilities, including those with a Limited English Deficiency have an equal opportunity to benefit from all aspects of BCDF’s efforts to prevent, detect, and respond to sexual abuse and sexual harassment. The policy requires facility staff to ensure effective communication with inmates who are deaf or hard of hearing, providing access to interpreters who can interpret effectively, accurately, and impartially. Staff are required to read to and ensure understanding of all sexual abuse and sexual harassment information if necessary, to comply with the policy.</p> <p>The policy stipulates written materials are provided in formats and through methods that ensure effective communications with inmates with disabilities. The facility’s written materials regarding PREA are written in simple language and are available through posters, brochures and the BCDF Inmate Handbook. Policy requires the facility’s inmate educational video be provided in closed captioning.</p> <p>Agency policy requires the facility maintain an agreement with an interpretive service that is capable of interpreting in various languages. Limited English Proficient inmates are provided written documentation informing them of their rights under PREA in English and Spanish versions. Policy also requires the facility provide the inmate educational video in English and Spanish.</p> <p>Policy prohibits facility staff from relying on inmate interpreters, inmate readers, or other types of inmate assistants except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise an inmate’s safety, the performance of first-responder duties, or the investigation of an inmate’s allegations. In such cases, facility staff are required to document the use of the inmate interpreter in an Incident Report.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.5 – Inmates with Disabilities or Limited English Proficiency pg. 1-2 Translations Service Instructions Request for Language Services Form Language Line Service List of Languages Acknowledgement Forms PREA Posted Information Butler County Inmate Sexual Abuse/Assault Prevention and Intervention Brochure Comprehensive Education Video Interviews with Staff Interviews with Inmates Observations</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the Butler County Inmate Sexual Abuse/Assault Prevention and Intervention Brochure. The brochure is provided by the Intake Officer during the booking</p>

process. The brochure is written maintained in English and Spanish. The facility maintains PREA posters and other posted PREA materials written in English and Spanish posted throughout the facility, including living units. In the event the facility receives an inmate who is blind or has low vision the facility ensures a staff member reads the PREA information to the inmate. The facility will assign a staff member to ensure an inmate with intellectual or psychiatric disability understands the facility's PREA information through a one-on-one session with the inmate.

Inmates who cannot read English or Spanish can benefit from the facility's PREA information through use of the Language Line Service or by direct interpretation from a staff member. The facility maintains a contract with a company who provides translation services through telephone services. Inmates can submit a Request for Language Services form if they feel the service is needed during any portion of their incarceration. The BCDF Inmate Handbook is maintained in English and Spanish. The facility has several bilingual staff members who are available to interpret for inmate that do not speak English.

The Auditor viewed the facility's comprehensive educational video. The facility utilizes the PREA: What You Need to Know video published on the National PREA Resource Center's website. The facility's comprehensive educational video is maintained on a CD. The video is closed captioned for the deaf or hard of hearing. Comprehensive education is provided on a one-on-one basis to inmates who have a disability which would restrict the inmate from otherwise benefiting from the educational video. All inmates are provided the informational brochure and offered the PREA video during the booking process and sign an acknowledgement form.

The Auditor reviewed 20 inmate files while on site. All 20 inmates had signed acknowledgement for receiving the PREA information during the booking process. During interviews with inmates the Auditor discovered most reported they had not seen the comprehensive educational video during the booking process at the BCDF. Those inmates informed the Auditor they refused to watch the video. After further conversation with the inmates the Auditor determined the inmate is offered the video and it is not mandatory to watch. The Auditor was able to determine those inmates were knowledgeable regarding sexual abuse and sexual harassment prevention, detection and response. The Auditor discovered those inmates have watched a PREA video at other facilities prior to transportation to the BCDF. Most inmates interviewed by the Auditor were brought to the facility from another facility.

There were no inmates who were deaf or blind for the auditor to interview. There were no inmates at the time of the audit who were identified with a cognitive disability for the Auditor to interview. The Auditor attempted to interview one inmate who was identified with a mental disability. The inmate refused to speak to the Auditor.

The Auditor interviewed 1 inmate who was identified as Limited English Proficient. The Auditor was provided use of the language line in the event needed. The Auditor was able to communicate with the inmates without use of the language line. The inmate was provided a brochure and comprehensive education in a language she understood. The inmate understood the facility's policies and procedures related to sexual abuse and sexual harassment. The inmate knew how to report allegations of sexual abuse and sexual

harassment. She also reported seeing the posted materials in the living unit in a language she understood.

The Auditor conducted formal interviews with facility staff. Classification staff informed the auditor the comprehensive video is played during the booking process. When the need arises, they play the Spanish version. The sexual abuse informational brochure is provided by the Intake Officer during the booking process. Inmates confirmed this process during formal and informal interviews. Inmates are given an opportunity to ask questions related to the PREA material with classification staff. The Auditor asked intake and classification staff what they do when they cannot communicate with an inmate who does not speak English. They informed the language line is used. While conducting interviews of staff the Auditor asked if inmate interpreters are utilized by the facility. Each staff member informed the facility does not rely on inmate interpreters.

The Auditor determined all inmates interviewed were knowledgeable regarding the BCDF's sexual abuse and sexual harassment prevention, detection, and response policies. Inmates informed the Auditor facility staff assist them when needed and take allegations of sexual abuse and sexual harassment seriously. Most inmates stated staff do not tolerate incidents of sexual abuse and sexual harassment.

The Auditor toured all areas of the facility. Observations were made of readily available sexual abuse and sexual harassment materials and PREA posters throughout the facility, including each living unit. Materials in the living units were posted on bulletin boards and by the telephones. All posters and other posted PREA material were observed written in English and Spanish.

Conclusion:

The Auditor was able to conclude the facility provides information that ensures equal opportunity to inmates who are disabled. The facility takes reasonable steps to ensure meaningful access to all aspects of the facility's efforts to prevent, detect, and respond to sexual abuse and sexual harassment are provided to inmates who are limited English proficient. Special arrangements are made for any inmate who is disabled and cannot otherwise benefit from the facility's information and educational video. The Auditor conducted a thorough review of the agency's policies and procedures, sexual abuse informational brochure, comprehensive educational video, acknowledgement forms, made observations, and interviewed staff and inmates and determined the facility meets the requirements of this standard.

The Auditor did recommend the facility consider not offering the PREA educational video and instead, play the video and have the inmate sign the form after watching.

115.17	Hiring and promotion decisions
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Auditor Discussion: The Butler County Detention Facility policy prohibits hiring or promoting anyone or enlisting the services of any contractor, who may have contact with inmates who:</p> <ul style="list-style-type: none"> • Has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution; and • Has been convicted of, or civilly or administratively adjudicated for, engaging or attempting to engage in sexual activity in the community facilitated by force, threats of force, or coercion, or if the victim did not consent or was unable to consent. <p>Agency policy requires considerations of any incident of sexual harassment in determining whether to hire or promote anyone, or to retain the services of any contractor, who may have contact with inmates. The policy requires a criminal background records check be conducted before hiring any new staff member who may have contact with inmates. Policy also requires the facility make its best efforts to contact prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse. Policy requires the facility detective document attempts to contact prior institutional employers in a log. Criminal background records checks are required annually on employees and contract personnel who may have contact with inmates.</p> <p>The facility asks all BCDF applicants and BCDF employees during a promotional process who may have contact with inmates directly about previous misconduct as listed above. Each candidate for employment and promotion must complete the Butler County Sheriff's Office, Prison Rape Elimination Act of 2003 Acknowledgement Form.</p> <p>The facility's policy includes a continuing affirmative duty to disclose any acts of sexual misconduct as listed in the policy. The agency's policy stipulates material omissions regarding such misconduct, or the materially false information shall be grounds for termination. Policy requires the BCDF to provide information related to substantiated allegations of sexual abuse or sexual harassment involving a former employee to any institutional employer to whom the previous employee has applied to work.</p> <p>Evidence Relied Upon: Policy – 116.9 – Hiring and Promotion Practices pg. 1-2 Prison Rape Elimination Act of 2003 Acknowledgement Form Background Check Log Background Investigator's Report Prior Employer Questionnaire Investigator's Report Interviews with Staff Interviews with Contractors</p> <p>Analysis/Reasoning:</p>

The Auditor reviewed the Butler County Sheriff's Office, Prison Rape Elimination Act of 2003 Acknowledgement Form. The form includes the following questions:

- “Have you engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution:
- Have you ever been criminally convicted or been given deferred adjudication for 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?
- Have you ever been civilly or administratively adjudicated for 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?
- Have you ever engaged or attempted to engage in any sexual abuse or harassment incidents including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature?”

Each potential candidate signs the Prison Rape Elimination Act of 2003 Acknowledgement Form which states, “Your signature confirms the above information is true and correct. Further, you understand and agree you have a continuing affirmative duty to disclose any such sexual assault, abuse, or harassment to the department (See Questions 1-4). Materially false information or omissions regarding such misconducts shall be grounds for termination. Ignorance of the policies of the Butler County Sheriff's Office is not a defense for violation such policies, including specifically BCDF policy, #116 “PRISON RAPE ELIMINATION ACT”.” The agency's, Range of Disciplinary Actions allows termination for violations of falsification of documents.

The Auditor verified the BCDF performed a criminal records background check on all its employees and contractors. The facility conducts these checks each year. The Auditor randomly chose 6 staff members to view information in their personnel file. Verification of a criminal record background check conducted prior to hiring was made by reviewing each record. When reviewing the records, the Auditor observed a checklist completed by the pre-employment investigator and a Prison Rape Elimination Act of 2003 Acknowledgment Form for each employee. The Auditor discovered one of the employees had previous experience in a confinement institution. The employee's file included an investigator's report noting contact with the previous employer. One of the employees was promoted within the previous 12 months. The facility had conducted a criminal background check and asked the employee about previous acts of sexual misconduct and harassment. The employee completed an acknowledgement form prior to the promotion. One of the files chosen was a candidate still in the pre-employment phase. The criminal history and acknowledgement form were completed.

The Auditor randomly chose 2 contract personnel and one volunteer. A review of records revealed the facility conducted a background check prior to enlisting the services of both contract personnel and the volunteer. Each was asked about previous acts of sexual misconduct and sexual harassment prior to performing services in the facility.

The Auditor conducted interviews with contractors and volunteers. Contractors and volunteers informed the Auditor they sign a document allowing the facility to conduct a criminal records background check. Each were aware the facility conducts these checks every year.

Contractors and volunteers stated they were asked about previous acts of sexual abuse and sexual harassment prior to performing services in the facility.

The Auditor spoke to the staff member responsible for maintaining employee files and hiring of personnel. The Detective provides sexual abuse and sexual harassment information related to a former BCDF employee to other confinement facilities after receiving a request from the other facility. The Detective contacts other confinement facilities to inquire about potential employees prior to hiring the person. The detective will notify other confinement facilities of a resignation during a pending investigation of sexual abuse of a BCDF former employee who is applying for work at another confinement facility.

Conclusion:

The Auditor concluded the Butler County Detention Facility is performing appropriate practices to identify previous acts of sexual misconduct prior to hiring staff and enlisting the services of contractors, and before promoting staff members. The Auditor conducted a thorough review of the agency's policies and procedures, employee records, criminal background records documentation, and interviewed staff and determined the facility meets the requirements of this standard.

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The BCSO has a policy to consider the effects of the design, acquisition, expansion, or modification on the agency’s ability to protect inmates from sexual abuse when designing or acquiring any new facility and when planning any substantial expansion or modification of the existing facility.</p> <p>The BCDF is required by policy to consider the effects how technology may enhance the ability to protect inmates from sexual abuse when installing or updating a video monitoring system, electronic surveillance system or other monitoring technology.</p> <p>The Butler County Sheriff’s Office reported it has not acquired any new facility or planned any substantial expansion or modification of the Butler County Detention Facility during this audit period.</p> <p>Evidence Relied Upon: Observations Interviews with Staff</p> <p>Analysis/Reasoning: The Butler County Sheriff’s Office has not designed or acquired any new facility during this audit period. The BCSO has not planned any substantial expansion or modification of its existing facility during this audit period. The facility has not installed or updated its video monitoring system, electronic surveillance system, or other monitoring technologies during this audit period.</p> <p>The Auditor conducted a thorough tour of the facility and observed camera placements throughout each building. Each area of the facility appeared to be original construction. The BCDF has added 6 additional cameras since the last PREA audit. The facility added cameras in the storage area in each living unit and one in a sallyport between two living units. These cameras were added to provide video surveillance of recognized blind spots.</p> <p>Interviews with command staff reveal they are aware of the requirement to consider protection of sexual abuse when designing any new construction or before making substantial modifications to the current facility. No staff was aware of any modifications or updates to the facility during this audit period.</p> <p>Conclusion: The agency has not made substantial modifications of the Butler County Detention Facility or video monitoring technologies at the facility in the past 12 months. The facility added additional cameras to assist in the prevention and detection of sexual abuse by providing coverage of recognized blind spots. The facility’s command staff is aware of the requirement to consider sexual abuse and sexual harassment protections when planning for modifications, expansions or video monitoring updates. The Auditor determined the agency meets the</p>

requirements of this standard.

115.21	Evidence protocol and forensic medical examinations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Auditor Discussion:</p> <p>The Butler County Sheriff's Office has a policy that requires all victims of sexual abuse access to forensic medical examinations at the Butler County Detention Facility, at no cost to the inmate victim. Forensic medical examinations are conducted by a Sexual Assault Nurse Examiner at the Via-Christi St. Joseph's Hospital. Policy requires victim advocacy from a rape crisis center. The facility's policy requires the facility Detective contact the hospital when an inmate is discovered to have been victimized in a time that allows for collection of forensic evidence. The facility's policy stipulates that time is within 72 hours from the incident occurrence. The Detective is responsible for determining the likelihood of forensic evidence when the facility learns of the incident occurrence beyond 72 hours.</p> <p>The agency's policy places responsibility of conducting criminal and administrative investigations with the assigned facility Detective. The agency's policy allows a victim advocate to accompany and support a victim through the forensic medical examination process and investigatory interviews if requested by the victim.</p> <p>The facility's evidence collection protocol is included in policy 116.12. The protocol includes steps to take when taking photographs, drying, packaging, labeling and sealing evidence, evidence preservation and the transfer of evidence.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.12 – Coordinated Response to Report of an Incident of Sexual Abuse/Evidence Protocol pg. 1-6</p> <p>Policy – 116.14 – PREA: Medical and Mental Health Services pg. 1-2</p> <p>Sexual Abuse Response Checklist</p> <p>MOU with Family Life Center – Safehouse</p> <p>Interview with Investigator</p> <p>Interview with Medical Practitioner</p> <p>Interview with SANE</p> <p>Analysis/Reasoning:</p> <p>The Butler County Detention Facility conducts administrative and criminal investigations of allegations of sexual abuse and sexual harassment. The facility has a Detective from the Butler County Sheriff's Office assigned (full time) to the facility. The facility's Detective conducts criminal and administrative investigations into allegations of sexual abuse and sexual harassment. Facility staff is required to protect the crime scene while the Detective is required to process and collect evidence from the scene. The Detective utilizes a uniformed evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions. The Detective is a sworn law enforcement officer with the Butler County Sheriff's Office and has the power to arrest.</p> <p>The facility transports inmates to the Via-Christi St. Joseph's Hospital for forensic evidence collection. Forensic examinations are performed by a certified Sexual Abuse Nurse Examiner</p>

at the hospital. The SANE is required to provide an assessment, documentation and collection of evidence of sexual assault of BCDF inmates. The hospital is located just minutes (driving time) from the facility. The SANE follows a uniform evidence protocol and chain of custody when performing forensic evidence collection.

The facility maintains an MOU with a local rape crisis center. The MOU with the Family Life Center - Safehouse stipulates the Butler County Sheriff's Office will:

- Allow an offender victim to contact the Family Life Center – Safehouse for rape crisis response to sexual abuse allegations;
- Understand that advocacy work performed by the Family Life Center – Safehouse is confidential and that the agency follows confidentiality regulations under the Violence Against Women Act; and
- Understand that the Family Life Center – Safehouse can only release information when allowed through a written, time-limited consent form with the Family Life Center – Safehouse is signed.

The MOU with the Family Life Center – Safehouse stipulates the Family Life Center - Safehouse is responsible for:

- Provide advocacy services to support the offender victim through the forensic medical examination process and investigatory interviews. Advocates shall provide emotional support, crisis intervention, information and referrals upon request from the Butler County Detention Facility;
- Respond to notifications by 24-hour Crisis Line (phone number is provided) email or in person;
- Provide main contact from the Family Life Center – Safehouse to the Butler County Detention Facility (Executive Director and Advocate contact information is provided); and
- Accept reports of sexual abuse and sexual harassment from inmate victims. Accept reports by either anonymous reporters or by reporters wishing to provide their name.

The Auditor conducted an interview with the facility Detective. The Detective was asked if a victim advocate can accompany a victim during his investigatory interviews. He stated he has not had to conduct a criminal investigation in which an inmate was sent for a forensic examination. The Auditor asked if he would allow a victim advocate to attend if he was to conduct such an investigation. The Detective stated he would allow the victim advocate to accompany the victim. The Detective explained he collects evidence in the crime scene while the SANE collects forensic evidence and turns the evidence over to him. The Detective has authority to place criminal charges on an inmate abuser. In the event criminal charges are placed on the victim, the Detective informs the victim of such. The Detective remains informed throughout the prosecution process so the victim can be updated and informed. The Detective informed the Auditor evidence collection is in accordance with nationally accepted protocols. The Detective explained he had received training to conduct sexual abuse investigations in confinement settings. The Auditor verified this by reviewing the Detective's training certificate.

The Auditor conducted a telephone interview with a Sexual Assault Nurse Examiner. The Auditor asked if the facility has contacted her officer for a forensic examination of an inmate in the past 12 months. The SANE informed her staff have not conducted a forensic examination

for a BCDF inmate in the previous 12 months. The SANE explained forensic examinations are conducted at the hospital. The SANE did state the nurses allow advocates to accompany the victim during a forensic examination. The Auditor asked if a police investigator questions the victim during the examination. The SANE informed an investigator can question the victim following the examination.

The Auditor conducted an interview with the facility's Health Services Administrator (HSA). The HSA informed the Auditor no staff in the medical section conduct forensic examinations. The HSA informed inmates are transported to the hospital for forensic examinations. The facility contacts the SANE to initiate a forensic examination.

The facility reported no incidents which required a forensic examination in the last 12 months.

Conclusion:

An appropriate uniform evidence protocol is utilized when collecting evidence of sexual abuse. The facility allows inmates access to victim advocates from a local rape crisis center. The facility provides access to a Sexual Assault Nurse Examiner at the community hospital. The Auditor reviewed the agency's policies and procedures, Memorandum of Understanding and interviewed the staff and the SANE and determined the facility meets the requirements of this standard.

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Sheriff's Office policy mandates an administrative or criminal investigation be completed for all allegations of sexual abuse and sexual harassment. The BCSO policy requires the BCDF Detective conduct criminal investigations and investigations where a staff member is alleged as the perpetrator. The Detective is also required to conduct a review of all investigatory documents written by a BCDF supervisor who conducts investigations.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.16 – PREA Investigation of Incidents and Notifications pg. 1-3 Agency Website Investigative Reports Interview with Investigators Interview with Inmates</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the Butler County Detention Facility website. The website includes a link to the agency's policies regarding the conduct of investigating allegations of sexual abuse and sexual harassment. The agency's Detective has the legal authority to conduct criminal investigations. The Detective has the authority to criminally charge an inmate. The BCDF Detective is a sworn law enforcement officer. When prosecution is warranted, the BCDF Detective coordinates with the local prosecutor.</p> <p>The Butler County Detention Facility reported 7 allegations that were criminally investigated, and 6 allegations administratively investigated by the BCDF Detective within the previous 12 months. There were no allegations of staff-on-inmate or inmate-on-inmate sexual abuse or sexual harassment referred for criminal prosecution in the previous 12 months. The Auditor conducted a formal interview with the facility detective. The Detective is aware of the requirement to inform the inmate of the investigative results. The Detective informs each inmate personally after the conclusion of an investigation.</p> <p>The Auditor specifically chose three inmates to interview who alleged suffering an alleged incident, two of which alleged sexual harassment and one alleged sexual abuse. An interview with two inmates who alleged suffering sexual harassment by a staff member admitted to the Auditor the incident never occurred. In both cases the inmates were attempting to get the officer moved from working in the living unit. The inmate who alleged suffering sexual abuse committed by an officer informed the Auditor he refused to speak to the investigator. He informed a third-party reported the incident on his behalf. In all three cases, the inmates did speak to the facility Detective promptly following the allegation. Two inmates stated they were provided the results of the investigation while the other stated he was not provided the investigative findings. The Auditor verified each inmate had been provided the investigative results and all three signed the results notification provided by the detective. Each investigation was conducted promptly and thoroughly.</p>

There are five staff members at the Butler County Detention Facility who have received specialized training to conduct sexual abuse investigations in a confinement setting. One is a Butler County Sheriff's Office law enforcement officer assigned to the facility. The other four are Butler County Detention Facility staff. The Butler County Sheriff's Office Detective informed the Auditor he has conducted all investigations since being assigned to the facility earlier this year. The Auditor verified all allegations reported by inmates had been investigated. The Auditor randomly chose three reported allegations and thoroughly reviewed the Detective's investigative reports.

No separate entity is responsible for conducting criminal investigations of sexual abuse or sexual harassment in the Butler County Detention Facility.

Conclusion:

The Auditor concluded the Butler County Detention Facility is appropriately referring all allegations of sexual abuse and sexual harassment for investigation. The Detective assigned to the facility has the legal authority to conduct criminal investigations. After reviewing agency policies and procedures, facility website, investigative reports and interviewing inmates and staff the Auditor determined the facility meets the requirements of this standard.

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility’s policy stipulates employees receive the following training:</p> <ul style="list-style-type: none"> • The zero-tolerance policy for sexual abuse, sexual harassment and retaliation; • How employees shall fulfill their responsibilities regarding prevention, detection, reporting, and response to sexual abuse and sexual harassment; • Inmates’ right to be free from sexual abuse and sexual harassment; • The right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment; • The dynamics of sexual abuse and sexual harassment in confinement; • Common reactions of sexual abuse and sexual harassment victims; • How to detect and respond to signs of threatened and actual sexual abuse; • How to avoid inappropriate relationships with inmates; • How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates; and • How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities. <p>The agency’s policy requires staff receive refresher training every two years to ensure staff know the agency’s current sexual abuse and sexual harassment policies and procedures. In years in which a staff member does not receive refresher training the BCDF provides refresher information on current sexual abuse and sexual harassment policies. The BCDF provides initial PREA training during an employee’s orientation training. The facility’s current practice is to provide PREA training on an annual basis as required by the Immigration Customs Enforcement standards as the facility houses ICE detainees. All employees are required to sign a PREA Employee Training Acknowledgement Form at the conclusion of attending training.</p> <p>The Butler County Detention Facility’s training is required to be tailored to meet the needs of both male and female inmates. Training is not required when a staff member is reassigned from one facility that houses only male inmates to a facility that houses female inmates as the training was designed to address both male and female inmates. The Butler County Detention Facility houses both male and female inmates and only operates one facility.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.21 – PREA: Training and Education of Staff pg. 1-3 PREA Employee Training Acknowledgement Forms Training Curriculum Butler County Training Reports Individual Training Reports PREA Training PowerPoint Presentation Interviews with Staff</p>

Analysis/Reasoning:

The Auditor reviewed BCDF PowerPoint presentations utilized to train staff. The training provided to employees includes all bulleted topics listed above. Each new employee receives the training during their initial orientation prior to performing duties in the facility. The training is conducted at the facility by the PREA Coordinator. The instructor utilizes the PowerPoint presentation while conducting the PREA training. The facility also utilizes the National Institute of Corrections' Learning Center to supplement its training curriculum. At the conclusion of the training, each participant is required to sign an acknowledgement form.

The Auditor reviewed the facility's PREA Employee Training Acknowledgement Form. The acknowledgement form states the training includes at least the minimum:

- The Butler County Detention Facility's zero-tolerance policy for sexual abuse and sexual harassment;
- Employees' responsibilities pertaining to agency policies regarding sexual abuse and sexual harassment prevention, detection, reporting, and response;
- Inmates' right to be free from retaliation for reporting sexual abuse and sexual harassment;
- Staff may privately report allegations or incidents of sexual abuse/assault or harassment;
- The dynamics of sexual abuse and sexual harassment in confinement;
- The common reactions of sexual abuse and sexual harassment victims;
- How to detect and respond to signs of threatened and actual sexual abuse;
- How to avoid inappropriate relationships with inmates;
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates;
- How to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities; and
- 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.

The following statement is included on the form just above the employee signature line, "In signing this document, I acknowledge that I received PREA training and understand the information stated above."

The Auditor reviewed Butler County and Individual Training Reports. Verification was made that each employee at the Butler County Detention Facility received initial PREA training. The Auditor observed records that each employee received PREA training on an annual basis. The most recent training was provided to staff in June 2019.

The Auditor conducted informal and formal interviews with randomly and specifically targeted facility staff. The Auditor questioned staff about the bulleted training topics listed previously. Staff interviewed by the Auditor informed they had received training and were able to articulate details of the training topics to the Auditor. Staff interviewed by the Auditor was knowledgeable regarding the training material and information provided by the facility. The Auditor did not encounter an employee who could not articulate an answer that aligned with the agency's sexual abuse and sexual harassment policies. Facility staff appeared well educated in the PREA policies and procedures.

Conclusion:

The Auditor concluded the facility has appropriately trained its staff and documented the training and each employees' understanding of the training received. Facility staff appears knowledgeable in the training topics mandated in PREA Standard 115.31. The Auditor reviewed facility policies and procedures, training materials, training attendance records, acknowledgement forms and conducted interviews with staff. The Auditor determined staff have retained the knowledge received from training. The Auditor determined the facility meets the requirements of this standard.

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility has a policy which requires all volunteers and contractors who have contact with inmates receive training regarding their responsibilities under the BCDF's sexual abuse and sexual harassment prevention, detection, and response policies and procedures. The level and type of training provided to volunteers and contractors is based on the services provide and the level of contact they have with inmates. The policy requires all volunteers and contractors who have contact with inmates be notified of the BCDF's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report such incidents. Policy requires documentation be maintained confirming each volunteer and contractor understands the training they have received.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.21 – PREA: Training and Education of Staff pg. 3 Butler County Detention Facility Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors Volunteer and Contractor Signed Training Records Interviews with Contractors Interviews with Volunteer</p> <p>Analysis/Reasoning:</p> <p>The Auditor conducted a review of the Butler County Detention Facility Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors. This four-page guide is utilized by the PREA Coordinator to conduct training for all volunteers and contractors. The guide includes the following sections:</p> <ul style="list-style-type: none"> • Introduction; • Zero-Tolerance; • Detecting Sexual Abuse and Sexual Harassment; • How to Report Sexual Abuse or Sexual Harassment; and • Maintaining Professional Relationships with Inmates. <p>Each volunteer and contractor are required to sign the acknowledgement of training received. The acknowledgement reads as follows, "I certify that as a volunteer, or contract employee of the Butler County Detention Facility, understand my responsibilities under the Butler County Detention Facilities sexual abuse and sexual harassment prevention, detection, and response policies and procedures."</p> <p>The facility currently has 76 volunteers and contractors who have contact with inmates. The Auditor verified each received the training and signed the acknowledgement form. The Auditor conducted interviews with contractors and volunteers. Each informed the auditor they had received PREA training by the facility. Each remembered signing the acknowledgement form.</p> <p>Each volunteer and contractor are provided the Butler County Detention Facility Guide on</p>

Sexual Abuse Prevention and Response for Volunteers and Contractors prior to providing services in the facility. The Auditor conducted formal and informal interviews with volunteer and contract staff. Interviews with volunteers and contractors revealed they are knowledgeable regarding the agencies policies and procedures and understood how to report allegations and information related to sexual abuse and sexual harassment.

Conclusion:

The Auditor concluded the facility is appropriately training volunteers and contractors and the facility maintains documentation of the training. The Auditor determined through a review of agency policies and procedures, training materials, signed acknowledgements and interviewing volunteers and contractors the BCDF meets the requirements of this standard.

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>It is the policy of the Butler County Detention Facility to provide inmates with information explaining BDCF’s zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The policy requires each inmate receive a comprehensive education either in person or through video regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and BDCF policies and procedures for responding to such incidents. The comprehensive education is required within 30 days of booking. Staff are to ensure inmates sign the Inmate PREA Training Voucher and file it in their booking record. If inmates refuse to sign the voucher the staff member is required to document the refusal on the voucher.</p> <p>The BDCF’s policy requires education be provided in formats accessible to all inmates, those who are Limited English Proficient (LEP), deaf, visually impaired, or otherwise disabled, as well as to inmates who have limited reading skills. Policy requires the facility ensure key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.22 – Inmate Orientation and Education pg. 1 Policy – 116.5 – PREA: Inmates with Disabilities or Limited English Proficiency pg. 1-2 Butler County Inmate Sexual Abuse/Assault Prevention and Intervention Brochure Inmate PREA Training Voucher PREA Posters Inmate Handbook Language Line Services Contract Inmate Records Interviews with Staff Interviews with Inmates Observations</p> <p>Analysis/Reasoning:</p> <p>The Intake Officer provides each inmate a Sexual Abuse/Assault Prevention and Intervention brochure during the booking process. The facility maintains this brochure in English and Spanish versions. The Auditor reviewed the facility’s brochure. The Butler County Inmate Sexual Abuse/Assault Prevention and Intervention Brochure includes the following topics:</p> <ul style="list-style-type: none"> • What is sexual abuse/assault; • Your Right to be safe from sexual assault; • Confidentiality; • What to do if you are assaulted; • How to report an incident of sexual assault; • Seek medical help;

- Understand the Investigative Process;
- Counseling programs for victims of sexual assault;
- About your safety;
- Avoiding sexual assault; and
- Remember.

The Auditor reviewed the Inmate PREA Training Voucher. Each inmate is required to sign the training voucher after watching the video. The Inmate PREA Training Voucher includes the following, but not limited to, written information:

- How to report allegations of sexual abuse and sexual harassment;
- How to access medical services;
- How to access help from a community provider;
- Investigative responsibilities;
- Zero-tolerance policy;
- Definitions;
- Red flags;
- How to avoid sexual abuse;
- What to do after an incident of sexual abuse;
- Retaliation;

The Auditor randomly chose 10 inmates and specifically targeted 10 inmates to interview. The Auditor asked the PREA Coordinator to provide copies of all 20 inmate booking records. The Auditor reviewed each record for the Inmate PREA Training Voucher. The Auditor determined most of the inmates interviewed refused to watch the comprehensive educational video. Those inmates were required to read and sign the Inmate PREA Training Voucher. The Auditor was able to determine those inmates who refused to watch the comprehensive educational video were fully aware of the facility's policies and procedures regarding sexual abuse and sexual harassment. Those inmates were transported from another facility and had previously been educated in sexual abuse and sexual harassment at the other facilities. Each inmate is given an opportunity to ask questions regarding sexual abuse and sexual harassment during the booking process.

The facility utilizes the PREA: What You Need to Know video published on the National PREA Resource Center's website. Both an English and Spanish copy of the video is maintained by the facility. The facility offers to play the comprehensive educational video to each inmate who arrives at the facility. The video includes the inmate's rights to be free from sexual abuse and sexual harassment, rights to be free from retaliation for reporting sexual abuse and sexual harassment incidents and information regarding responses to such incidents. The facility's educational video is closed captioned. The Auditor verified each inmate was offered the video within 30 days of booking.

The Auditor conducted formal and informal interviews with randomly chosen inmates. Inmates informed the Auditor they were offered an opportunity to watch a video and was provided a brochure which included the facility's rules relating to sexual abuse and sexual harassment upon arrival at the facility. Most inmates informed the Auditor they refused to watch the video because they had previously seen it at another institution.

Inmates interviewed by the Auditor were able to articulate the BCDF's policies and procedures related to sexual abuse and sexual harassment. Inmates understood they had a right to be free from sexual abuse and retaliation. Each inmate understood how to make a report of sexual abuse and sexual harassment. Inmates were aware of and received information about the rape crisis center who provides victim advocacy. The Auditor asked each inmate if he/she had seen the posted PREA information in their living units. They were aware of the posted material and have seen it in the units.

The Auditor reviewed the agency's Offender Handbook. The handbook includes zero-tolerance information, how to report, including the hotline information, and prohibits sexual activity between inmates.

The Auditor interviewed one inmate who had been identified as Limited English Proficient. The Auditor was able to communicate with the inmate. The Auditor determined the inmate had been educated and provided the PREA information during her booking process. The inmate was able to articulate the facility's policies and procedures regarding sexual abuse and sexual harassment to the Auditor. The Auditor was informed facility staff provided the information written in Spanish and played the Spanish version of the comprehensive video to the inmate. The Auditor asked the inmate how she would report an allegation of sexual abuse or sexual harassment. The inmate stated she would use the hotline or notify staff to make a report. The facility has several staff member who are bilingual to assist if the need arises. The facility also maintains a contract for language services through a company who provides translation services.

The Auditor conducted an interview with booking and classification staff. Staff informed the Auditor the information is provided to inmates during their booking process. Classification staff meets with each offender being booked into the facility. Inmates are given the opportunity to asks questions regarding the facility's rules regarding sexual abuse and sexual harassment. The Auditor was informed the PREA information will be read to an inmate who has low vision or blind, or who cannot read. The educational video can be heard by those who have low vision or are blind. The Auditor was informed PREA information can be read by those who may be deaf or hard of hearing and the educational video can be read through closed captioning. Interpretive services are provided through use of a language line or a bilingual staff member. Classification staff discusses options with a supervisor to ensure inmates who cannot otherwise benefit from the education are educated appropriately.

There were no offenders designated with a cognitive disability, deaf or hard of hearing, or with low vision or blind for the Auditor to interview.

The Auditor conducted a detailed tour of the Butler County Detention Facility. During the tour the Auditor observed key information readily available in the form of PREA posters, brochures and informational pages posted throughout the facility. The facility provides readily available information to inmates in its Inmate Handbook, training voucher and brochure. The facility maintains PREA material written in English and Spanish.

Conclusion:

The Auditor concluded the inmate population at the Butler County Detention Facility has been appropriately educated in the agency's zero tolerance policy, how to report allegations, rights

to be free from sexual abuse, sexual harassment, retaliation, and the agency's policies and procedures for responding to such. The facility maintains appropriate documentation of such in each inmate's classification record. The Auditor reviewed the agency's policies and procedures, booking and classification records, educational video, brochure, made observations and interviewed staff and inmates and determined the facility meets the requirements of this standard.

The Auditor made a recommendation to the facility not to allow inmates the option of watching the comprehensive video. The Auditor discussed the possibility of the facility playing the video then have the inmate sign the form acknowledging they have seen the video. Inmates may be more inclined to watch the video if staff do not give the inmates an option.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The agency’s policy requires investigators receive specialized training before conducting sexual abuse investigations. The policy requires investigators receive the general PREA training provided to all facility employees. Policy stipulates the training include the following:</p> <ul style="list-style-type: none"> • Techniques for interviewing sexual abuse victims; • Proper use of Miranda and Garrity warnings; • Sexual abuse evidence collection in confinement settings; and • The criteria and evidence required to substantiate a case for administrative action or prosecution referral. <p>Policy requires documentation be maintained that each Investigator has completed the required specialized training.</p> <p>Evidence Relied Upon: Policy – 116.21 – PREA: Training and Education of Staff pg. 2 Investigator’s Training Record Training Curriculum Interview with Investigator</p> <p>Analysis/Reasoning:</p> <p>At the time of the audit the agency had 5 staff who had received specialized training to conduct Sexual Abuse Investigations in a confinement setting. There was one agency investigator assigned to the facility to investigate such allegations. The Auditor conducted a review of the training file of the Detective assigned to the facility. The Detective attended specialized training to conduct sexual abuse investigations in confinement settings.</p> <p>The Auditor conducted a review of the specialized training for investigators in confinement settings curriculum. The Detective completed an online training seminar titled, “PREA: Investigating Sexual Abuse in a Confinement Setting” and completed the “PREA: Investigating Sexual Abuse in a Confinement Setting: Advanced Investigations” course. Both courses were completed in August 2018 and totaled 7 hours of training. Both courses were offered through the National Institute of Corrections. The Auditor has reviewed the training curriculum. The curriculum includes the required topics as stipulated in this standard. The investigator’s training record revealed he was provided the regular PREA training, as provided to all staff, in June 2019.</p> <p>The Auditor conducted a formal interview with the facility’s investigator. The Auditor asked the Detective to explain the training he received to conduct sexual abuse investigations in a confinement setting. The Detective was able to articulate the topics as bulleted above. The Detective was knowledgeable regarding the requirements of conducting sexual abuse investigations. The Auditor asked the Detective to explain the process he uses when conducting investigations. He explained he interviews the victim, aggressor and witnesses,</p>

reviews inmate records, collects evidence, and reviews available video surveillance. The Detective coordinates any possible criminal prosecutions with the prosecutor.

The Auditor asked the Detective to explain how he determines credibility of an alleged victim, witness and aggressor. The Detective explained credibility is assessed by reviewing criminal and institutional disciplinary charges, incident reports, previously provided information and grievances. The Auditor asked how the Detective determines credibility of a staff member. He explained by reviewing the staff member's personnel record and work history.

The Department of Justice is not required to conduct sexual abuse or sexual harassment investigations in the Butler County Detention Facility.

Conclusion:

The Auditor concluded the agency has provided appropriate training to its Sexual Abuse Investigators. The Auditor conducted a review of policies and procedures, training curriculum, training records, and conducted an interview with a Sexual Abuse Investigator and determined the agency meets the requirements of this standard.

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility’s policy requires all medical and mental healthcare practitioners who work regularly in the facility are trained in the following:</p> <ul style="list-style-type: none"> • How to detect and access signs of sexual abuse and sexual harassment; • How to preserve physical evidence of sexual abuse; • How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and • How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. <p>The Butler County Detention Facility contracts its medical services with Advanced Correctional Healthcare (ACH). The BCDF requires all regular medical and mental healthcare practitioners receive training mandated for contractors. The facility is required to maintain documentation it provided such training.</p> <p>Medical practitioners at the facility do not conduct forensic examinations and therefor are not required to be trained to do so.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.21 – PREA Training and Education of Staff pg. 2 Advanced Correctional Healthcare PREA Training PowerPoint Interviews with Medical and Mental Healthcare Practitioners Medical Personnel Training Records Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors</p> <p>Analysis/Reasoning:</p> <p>Medical services at the Butler County Detention Facility are contracted with Advanced Correctional Healthcare (ACH). Medical personnel at the BCDF are considered contract employees. All medical and mental healthcare practitioners are required to complete specialized medical training. There are 4 ACH personnel who work regularly in the facility. The Auditor reviewed the training records of 4 medical and mental healthcare practitioners. A review of the records indicated all 4 medical and mental health practitioners received the specialized medical training.</p> <p>The specialized medical training conducted was developed by ACH personnel and is conducted during the new personnel orientation. Each medical and mental healthcare practitioner completed the specialized medical training and was required to pass a test. The Auditor observed the following topics within the ACH PowerPoint presentation:</p> <ul style="list-style-type: none"> • Reporting requirements; • How to detect and assess signs of sexual abuse and sexual harassment; • Preservation of physical evidence of sexual abuse; and

- Professional response to victims.

The training file of each medical and mental healthcare professional revealed each had received the training offered to all contract personnel. Each medical and mental healthcare professional had received the training and signed the Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors. Each contractor's signature denotes, "I, the undersigned, agree I have read the directive and/or policy/procedure and understand same. I further understand this directive and/or policy/procedure will be placed into the Butler County Sheriff's Office "H" drive for review..."

The Auditor interviewed medical and mental healthcare practitioners employed at the Butler County Detention Facility. Each employee interviewed stated they had received specialized medical training and received the training provided to contractors. The medical and mental healthcare practitioners were knowledgeable regarding previously mentioned training topics. The Auditor asked medical staff to explain how they preserve physical evidence while attempting to treat medical emergencies which result from an incident of sexual abuse. The explanation supported the training provided through specialized medical training.

ACH medical practitioners do not perform forensic examinations at the Butler County Detention Facility. Those examinations are performed at the local hospital by a Sexual Assault Nurse Examiner. The Auditor asked two ACH medical practitioners if they perform forensic examinations at the facility; both stated ACH staff do not conduct forensic examinations and have not been trained to do so.

Conclusion:

The Auditor concluded medical practitioners at the Butler County Detention Facility have been appropriately trained. The facility maintains documentation that medical and mental healthcare practitioners have received specialized medical training and the training offered for contractors. The Auditor conducted a review of policy, procedures, training curriculum, training records, and interviewed medical and mental healthcare practitioners and determined the facility meets the requirements of this standard.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility policy requires an assessment of each inmate during the intake process. Policy requires a completely new assessment each time an inmate returns to the facility and not rely on assessment information from prior incarcerations. The assessment is conducted to assess the inmate’s risk of being sexually abused by other inmates or sexually abusive toward other inmates. The BCDF enters the information from the assessment electronically in the offender management system. The classification assessment screening tool is objective and considers the following:</p> <ul style="list-style-type: none"> • Whether the inmate has a mental, physical, or developmental disability; • The age of the inmate; • The physical build of the inmate; • Whether the inmate has previously been incarcerated; • Whether the inmate’s criminal history is exclusively nonviolent; • Whether the inmate has prior convictions for sex offenses against an adult or child; • Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender non-conforming; • Whether the inmate has previously experienced sexual victimization; • The inmate’s own perception of vulnerability to sexual abuse or sexual harassment; and • Whether the inmate is detained solely for civil immigration purpose. <p>The screening considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, as known to BCDF, in assessing inmates for risk of sexual abusiveness.</p> <p>The agency has a policy that requires the inmate’s risk of victimization or abusiveness be reassessed within 30 days of the inmate’s arrival date. The agency’s policy also requires classification staff to reassess an inmate’s risk of victimization or abusiveness when warranted due to a referral, request, incident of sexual abuse, or receipt of additional information that bears on the inmate’s risk of sexual victimization or abusiveness.</p> <p>The BCDF prohibits disciplining an inmate for refusing to answer, or for not disclosing complete information related to:</p> <ul style="list-style-type: none"> • Whether the inmate has a mental, physical, or developmental disability; • Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming; • Whether the inmate has previously experienced sexual victimization; and • Inmate’s perception of his/her own vulnerability to sexual abuse or sexual harassment. <p>Policy places limits on the dissemination of information obtained on the risk assessment to limit the exploitation of sensitive information. The information obtained on the screening may only be disseminated to key staff. Policy states BCDF staff will not discuss inmate assessment answers except in a professional capacity and only then to ensure proper determinations</p>

about how to ensure the safety of each inmate.

Evidence Relied Upon:

Policy – 116.6 – Screening of Inmates and Use of Information Obtained to inform Housing Assignment pg. 1-2

Intake Screening Questionnaire

30-Day Reassessments

Classification Records

Interviews with Staff

Interviews with Inmates

Analysis/Reasoning:

The Auditor reviewed the BPDF's screening tool. The screening tool is objective in nature and includes the following considerations for risk of victimization/abusiveness as required by this standard:

- Mental, physical, and developmental disabilities;
- Ages of the inmate;
- Physical build of the inmate;
- Previous incarcerations;
- Whether the inmate's criminal history is exclusively non-violent;
- Prior convictions for sex offenses against adults or children;
- Whether the inmate is or is perceived to be gay, lesbian, bi-sexual, transgender, intersex or gender non-conforming;
- Previously experiences of sexual victimization; and
- Inmate's own perception of vulnerability.

In addition, the agency's screening tool considers the following for risk of sexual abusiveness as required by this standard:

- Prior acts of sexual abuse;
- Prior convictions of violent offenses; and
- History of prior institutional violence or sexual abuse.

The Classification Officer meets with and conducts a screening of each inmate who enters the facility. The Classification interviews are conducted where other inmates cannot hear the interview taking place. The Classification Officer asks each inmate the risk assessment questions and calculates the score to determine the inmates risk level. Classifications typically occur within 24 hours of arrival. All inmate classifications occur within 72 hours.

The Auditor reviewed the risk screenings of all 20 inmates who were chosen by the Auditor to participate in formal interviews. The Auditor observed all 20 inmates had been appropriately screened upon arrival. Utilizing the same 20 offender records, the Auditor discovered staff had conducted re-assessments of each inmates' level of risk for victimization and abusiveness. The Auditor discovered classification staff had conducted some reassessments beyond 30 days of arrival. After meeting with the Classification supervisor, the Auditor discovered if a 30-day reassessment was due on a weekend the assessment would not be conducted until the following business day. The Auditor met with the Classification supervisor and discussed a more practical method of tracking when the 30-day reassessments were due.

The Auditor conducted a formal interview with the Classification supervisor. The Classification supervisor explained the screening process to the Auditor. The Auditor asked the Classification supervisor if he utilizes his professional judgement when considering the vulnerability of an inmate. The Auditor was informed he uses his best judgement when determining vulnerability. The Auditor asked the Classification supervisor if he has received a referral, request or additional information that bears on an inmate's risk level. The Auditor was informed he had not received such information. The Classification supervisor has not had to conduct a reassessment after a sexual abuse incident. The Classification supervisor was asked if he places disciplinary charges on an inmate who refuses to answer questions related to the risk screening. The Auditor was informed inmates are not disciplined for refusing to answer any of the booking questions.

The Auditor asked the Classification supervisor who has access to information obtained from the risk screening process. The Auditor was informed the information obtained during the risk screening is accessible to supervisors, investigators and medical and mental health professionals. Information from the risk screening is electronically entered into the agency's offender management system. Each agency staff member has a uniquely issued username and password to gain access. Staff is provided different levels of access (based on job duties) to information in the system. While touring the facility the Auditor asked line staff to show the classification information to the Auditor. No line staff member was able to view the electronic classification information.

The Auditor conducted formal and informal interviews with inmates. All inmates targeted for interviews and randomly chosen for interviews were asked if they had been asked questions as previously listed during the booking process. Inmates stated they remember being asked those questions during the booking process. The auditor was unable to interview an inmate who identified as transgender as there was no inmate who identified as such incarcerated at the time of the Audit. The Auditor did interview inmates who identified as gay and lesbian. The Auditor asked each inmate if staff treated them differently after informing of their status as gay or lesbian. None of those inmates stated they were treated differently after reporting their status. Each inmate interviewed informed the Auditor they were asked if they identified as gay, lesbian, bisexual, transgender or intersex by classification staff. The facility's risk screening tool does allow for input of the inmate's own perception of vulnerability.

The facility does not conduct a re-assessment of vulnerability and aggressiveness upon transfer to another facility because the BCDF only operates one facility.

Conclusion:

The facility's Classification staff is attempting to discover inmates' level of risk of sexual victimization or sexual abusiveness during the booking process and within 30 days of an inmate's arrival based upon additional information, an incident or referrals. The Auditor reviewed the agency's policies and procedures, risk screening forms, classification records and interviewed staff and inmates and determined the facility meets the requirements of this standard.

The Auditor recommended the Classification supervisor develop a system that would alert or that he would be able to determine when an inmate is due for a 30-day reassessment in

advance of the 30-day period. This would allow some time for the Classification supervisor to ensure the reassessment is completed within the 30-day requirement.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility policy is to use information from the risk screening to inform housing, bed, work, education, and programming assignments with the goal of keeping separate those inmates at high risk of being sexually victimized, ATRSK, from those at high risk of being sexually abusive, HRSP. Policy stipulates individualized determinations be made to ensure the safety of each inmate.</p> <p>The facility is required by policy to consider on a case-by-case basis in deciding whether to assign a transgender or intersex inmate to a male or female housing unit and when making housing and program assignments. BCDF considers security and management problems when determining placement of transgender and intersex inmates. Transgender and intersex inmates' own views with respect to safety are seriously considered when determining placement.</p> <p>Policy requires a reassessment of each transgender and intersex inmate at least twice each year to review any threats to safety experienced by the inmate. Policy requires transgender and intersex inmates be given the opportunity to shower separately from other inmates.</p> <p>The agency's policy stipulates lesbian, gay, bisexual, transgender, or intersex inmates will not be placed in a dedicated facility, unit, or wing solely based on such identification or status, unless pursuant to a legal settlement.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.6 – Screening of Inmates and Use of Information Obtained to inform Housing Assignment pg. 2-4 Intake Screening Questionnaire Classification Records Interviews with Inmates Interviews with Staff Observations</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed 20 offender classification records. None of the 20 inmates in the files reviewed identified as transgender. The Auditor did observe one inmate identified as gay and one identified as lesbian. No gay or lesbian inmate was placed in a dedicated housing unit. The classification records show facility staff made appropriate individualized considerations when determining housing, bed, work and other assignments to ensure the safety of each inmate. During random interviews with inmates the Auditor discovered several inmates who identified as gay or lesbian but did not inform facility staff during the booking process. The Auditor asked each of them if they were treated any differently or placed in a dedicated housing unit for gay or lesbian. The Auditor was informed "no."</p> <p>The Auditor conducted interviews with one inmate who identified as gay and one inmate who</p>

identified as lesbian. Each informed the Auditor classification staff asked them questions during the booking process related to their identification status. Each stated they were asked if they felt safe in a general population living unit. The Auditor asked each if they were treated any differently by staff after informing of their identification status. Neither stated they were treated any differently. The Auditor observed classification staff is utilizing information gained from the risk screening to assign facility housing, bed, and work assignments for those identifying as gay or lesbian. Classification staff considers their protection prior to assigning education, programs and work assignments to inmates. Inmates submit a request to attend programs and educational classes. Classification assigns each inmate in compatible living units.

The Classification Assessment tool utilized by classification staff requires individualized determinations be made for each inmate. The tool also has questions directed to the classification officer to include their own perceptions of the inmate's risk level. The Classification Officer informed the Auditor a transgender inmate's own views concerning safety are considered when making assignments. The Auditor observed the assessment tool includes a question regarding the inmate's own perceptions of his/her safety.

The Auditor reviewed the files of inmates who reported suffering sexual victimization while in the community and in an institutional setting. The Auditor conducted formal interviews with inmates who reported suffering sexual victimization. Each was asked if they have been housed in the same living unit with known sexual abusers. They reported to the Auditor they were housed separately from abusers. The Auditor asked during interviews if any of the inmates attended programs, education, or work with the alleged abuser. The victimized inmates reported they were maintained separately from abusers during programs, education, and work. The Auditor interviewed an inmate who made a sexual abuse allegation against a staff member. The inmate informed the Auditor the staff member was removed from the inmate's unit immediately after the facility learned of the allegation.

The Auditor observed all facility living units during a detailed facility tour. Transgender and intersex inmates are given the opportunity to shower separately from the population. The Auditor observed toilet and showers are protected with doors in open style units and are in each cell in segregation areas. Showers in segregation areas are protected with doors. Both staff and inmates interviewed stated inmates can shower, use the toilet and change clothes without staff of the opposite gender seeing them do so.

The Auditor asked classification staff how often a transgender inmate's placements are reviewed. Classification reported they review assignments biannually or more often if needed. The Auditor asked if all LGBTI inmates were placed in dedicated living units in the BCDF and was informed they are not housed as such. The Auditor asked classification staff if mental health practitioners have any input on transgender reviews. Classification reported mental health practitioners do have input during biannual reviews. The facility has not had a transgender or intersex inmate for any long period of time.

At the time of the audit the Butler County Detention Facility was not under a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates.

At the time of the Audit there were no inmates identified at high risk of sexual victimization placed involuntarily in segregation for his/her protection against sexual abuse.

Conclusion:

The Auditor concluded classification staff has the appropriate forms to make individualized determinations when assigning transgender and intersex inmate's housing, bed, work, programming and education assignments. The facility has appropriate policies, procedures and practices in place to protect those identified at high risk of victimization from those identified at high risk for sexual abusiveness. The Auditor conducted a thorough review of policies and procedures, classification records, screening documents, made observations, and interviewed staff and inmates and determined the facility meets the requirements of this standard.

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility prohibits placing offenders at high risk for sexual victimization in special housing without their consent unless an assessment of all available alternatives has been made, and a determination has been made that there are no available alternative means of separation from likely abusers. The policy allows the facility to hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment if BCDF cannot conduct the assessment immediately. Any inmate placed in involuntary segregated housing for the purpose of protective custody must have access to programs, privileges, education, and work opportunities to the fullest extent possible. Policy requires the following information be documented when restrictions to access to programs, privileges, education and work opportunities are enacted:</p> <ul style="list-style-type: none"> • The opportunities that have been limited; • The duration of the limitations; and • The reason for such limitations. <p>BCDF inmates may only be assigned to involuntary segregated housing only until an alternative means of separation from likely abusers can be arranged. The policy stipulates the assignment not ordinarily exceed a period of 30 days. Butler County Detention Facility staff are required to document the basis for the facility’s concern for the inmate’s safety and the reason why no alternative means of separation can be arranged. Policy requires a review be conducted every 30 days to determine if there is a continuing need for separation from the general population.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.8 – Protective Custody and Segregated Housing pg. 1-2 Alert Listing Roster Interviews with Staff Interview with Inmates Classification Records Housing Roster Observations</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the facility’s Alert Listing roster and observed two inmates identified as high risk of sexual victimization. The Auditor asked to interview one of the inmates. After further review of the Alert Listing it was determined those two inmates had been released. The facility’s Alert Listing did not clear those inmates from the list after release. One inmate was incarcerated in 2016 and the other in 2018. The Auditor was unable to interview either inmate. The Auditor reviewed the facility’s housing roster and did not identify either inmate included in the housing roster. The Auditor was unable to interview an inmate who had been identified at high risk of sexual victimization. The Auditor reviewed the housing roster and classification records of those housed in segregated housing during the audit and determined none of the</p>

inmates in segregated housing were identified at high risk of sexual victimization.

The Auditor conducted formal interviews with classification staff. The Auditor asked classification to explain the process when placing an inmate in involuntary segregation for protection from sexual abuse. Classification informed the Auditor if they place an inmate involuntarily in segregation an assessment is conducted to assess available alternatives. The Classification Supervisor was aware of the time constraints and requirements of this standard when assessing available alternatives to involuntary segregated housing. The Auditor was informed inmates identified at high risk of sexual victimization can be separated easily from sexually abusive offenders as the facility has several living units. The number of living units allows the Classification Officer the option of housing the inmate in another general population unit and not in segregated housing. The Auditor asked how classification would separate a female inmate who had been identified at high risk of sexual victimization. The Classification supervisor informed the abuser would be moved to one of the cells previously used to house juveniles or the victim could be moved to one of the medical cells if the female could not remain in the female living unit. Classification staff was aware that inmates in segregated housing have access to programs, privileges, education, and work opportunities, to the extent allowable.

At the time of the audit there was no offender involuntarily housed in segregated housing to maintain separation from likely abusers. The Auditor asked command staff how difficult it would be to transfer an inmate if the inmate could not be housed in any living unit. The Auditor was informed there are several facilities the BCDF could send the inmate to as a courtesy hold. The Auditor interviewed medical personnel. Medical personnel are informed when inmates are identified at high risk of sexual victimization.

The Auditor interviewed several security personnel who supervise inmates in the segregation housing unit. Staff was asked if inmates in segregated housing receive access to programs, privileges, education, and work opportunities. Staff informed the Auditor inmates do have access to programs, education and work opportunities upon request, dependent upon legitimate facility security concerns. Privileges are provided to all inmates in the segregation housing unit. The Auditor asked if staff have ever supervised an inmate in segregation housing who was identified at high risk of sexual victimization to keep him separate from likely abusers. No staff member interviewed recalled doing such.

The Auditor conducted a detailed tour of the facility. Observations were made of each inmate living unit. The Auditor observed multiple areas that can house male inmates to ensure those identified at risk of sexual abuse are protected from sexual abusers. The facility does have a plan in place in the event a female inmate is identified at high risk of sexual victimization.

The Auditor conducted an interview with one inmate who alleged an incident of sexual abuse within the previous 12 months. The Auditor asked the inmate if his living unit assignment had changed since making the allegation. The inmate stated his living unit was not changed after making the allegation. The allegation was made against a staff member. The staff member was reassigned after the allegation was made. The inmate refused to speak to the Detective conducting the investigation. There was no inmate who alleged an incident of sexual abuse against another inmate that was substantiated for the Auditor to interview.

Conclusion:

During the previous 12 months the Butler County Detention Facility has not placed an inmate identified at high risk of victimization involuntarily in segregation. After making observations and conducting a review of policies, procedures, classification records, housing records, Alert List and interviewing staff and inmates the Auditor determined the facility meets the requirements of this standard.

115.51	Inmate reporting
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Auditor Discussion:</p> <p>The Butler County Detention Facility policy is to provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other inmates or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Inmates at the Butler County Detention Facility may report allegations of sexual abuse and sexual harassment in the following ways:</p> <ul style="list-style-type: none"> • Verbally informing any BCDF staff member, volunteer or contractor; • Submitting a report in writing to any BCDF staff member, volunteer or contractor; • Through the facility’s inmate Kiosk system available in each housing unit; • Write a letter to the facility Chaplain, Sheriff or Undersheriff, or PREA Coordinator; • Tell a friend or family member to report on their behalf; • Submit a sick call request; and • Call the Family Life Center - Safehouse <p>The agency provides inmates the option of reporting sexual abuse and sexual harassment to an outside organization through the inmate telephone system with a quick dial option. Agency policy requires employees to accept and immediately report and document inmate reports of sexual abuse or sexual harassment, retaliation, staff neglect or violations of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment. Staff are required to accept reports made verbally, those made third-party and anonymous reports of sexual abuse.</p> <p>The Auditor observed posted material in each inmate living unit for those detained solely for immigration purposes to be able to contact their relevant consular official.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.11 – Procedures/Rules for Reporting Sexual Abuse and Sexual Harassment pg. 1-2</p> <p>Butler County Inmate Sexual Abuse/Assault Prevention and Intervention brochure</p> <p>Posted PREA Materials</p> <p>Inmate Handbook pg. 21</p> <p>Consulate Posters</p> <p>MOU with Family Life Center - Safehouse</p> <p>Investigative Records</p> <p>Training Curriculum</p> <p>Staff Training Records</p> <p>Investigative Records</p> <p>Interviews with Staff</p> <p>Interviews with Inmates</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the Butler County Inmate Sexual Abuse/Assault Prevention and</p>

Intervention brochure provided to each inmate during the booking process. The brochure informs inmates they can report allegations to a staff member, volunteer, medical/mental health provider, verbally or in written form. The brochure informs the inmate he/she can write directly to the Sheriff or Undersheriff or by calling or writing the Family Life Center Safe House; the address and telephone number are provided.

The Auditor reviewed the agency's Inmate Handbook. The handbook informs inmates of all the reporting avenues as listed above (bulleted items). Inmates are informed they may remain anonymous upon request. The handbook informs inmates all call from the living units are recorded and may be monitored. Directions for contacting the Family Life Center – Safehouse are included in the Inmate Handbook. Each inmate receives an Inmate Handbook upon booking. The facility maintains a Memorandum of Understanding with the Family Life Center – Safehouse. The memorandum requires the safehouse to accept and forward reports of sexual abuse and sexual harassment to the facility, maintaining confidentiality and anonymity of the inmate upon request.

The Auditor reviewed facility training records and curriculum. BCDF employees are provided training that includes sexual abuse and sexual harassment reporting procedures. Staff is mandated by policy to accept all allegations of sexual abuse and sexual harassment, including; verbal, written, anonymous, and those from third parties. Contractors and volunteers are trained to accept verbal and written allegations, immediately report to a security staff member, and document all allegations of sexual abuse and sexual harassment.

The Auditor conducted formal interviews with randomly chosen staff. Each staff member was asked if he/she is required to accept any and all allegations, suspicions or information related to an incident of sexual abuse and sexual harassment. Staff were aware of the agency's requirement to accept any and all reports and allegations of sexual abuse and sexual harassment. Staff members were asked how quickly they are required to report the allegation. Each staff member stated they verbally report the allegation immediately. The Auditor asked each if they were required to document the allegation. The Auditor was informed staff is required to submit an Incident Report promptly to document the allegation. Staff was asked how they could privately report allegations of sexual abuse or sexual harassment of inmates. Staff informed the Auditor they could report the allegation to the Chaplain or Detective. Some staff informed they could call the Family Life Center – Safehouse. The Auditor asked staff if command staff have an open-door policy and if they felt comfortable reporting allegations as such. Staff informed the Auditor they would feel comfortable doing so.

The Auditor conducted formal interviews with contract and volunteer personnel. Each was asked what actions they would take if they received an allegation of sexual abuse from an inmate. The Auditor was informed they would immediately inform a security staff member. The Auditor asked each if they were required to document information they receive regarding sexual abuse or sexual harassment. Each stated they are required to document the allegation on an Incident Report. Each informed the Auditor they are required to report any and all information, knowledge, or suspicion regarding sexual abuse or sexual harassment immediately. All volunteers and contractors receive training and sign an acknowledgement form for such.

The Auditor conducted formal interviews with inmates. The Auditor asked each inmate to

explain the various ways the facility has for them to make a report of sexual abuse or sexual harassment. The inmates interviewed by the Auditor explained they can inform any staff member, call a hotline number, submit a grievance or request form, and/or have someone else make a report for them. The Auditor asked each if there was a staff member, they felt confident they could report an allegation of sexual abuse or sexual harassment to. Each stated there is staff they could make an allegation to and they were confident the incident would be dealt with appropriately and the staff member would keep the information confidential. The Auditor asked each inmate if they were able to make an allegation without having to give their name. The inmates interviewed understood they could make an allegation anonymously.

The Auditor reviewed investigative records. Investigative records included Incident Reports submitted by staff. A review of records revealed staff are verbally reporting allegations to supervisors and submitting an Incident Report of the allegation made. The Auditor conducted an interview with the facility's Detective. The Detective informed the Auditor he has conducted investigations into allegations that were made by third-party. Third-party allegations have been made to a member of the community. The Auditor reviewed evidence staff are accepting verbal reports and submitting Incident Reports of the verbal allegation. Investigative records reveal staff are immediately informing their supervisors and investigations are completed promptly and thoroughly. There were no allegations filed against a staff member or an inmate anonymously.

During a tour of the facility the Auditor observed material posted in each living unit. Materials posted informed inmates how to report allegations of sexual abuse and sexual harassment. The Auditor observed posters informing ICE detainees how to directly contact the Office of Inspector General to report allegations. Each living unit maintained a poster informing ICE detainees how to contact relevant consulate officials.

The Auditor tested the reporting mechanism available to the inmate population. While in the female living unit, the Auditor dialed the telephone number to the Family Life Center – Safehouse. The Auditor did not have to input an inmate pin number to access the safehouse. The safehouse answered the telephone call immediately.

Conclusion:

The facility provides multiple ways for inmates to report allegations of sexual abuse and sexual harassment, including a private entity. The facility requires staff to accept, report, and document all allegations of sexual abuse and sexual harassment. The Auditor reviewed the agency's policies and procedures, brochure, MOU, handbook, investigative records, training records, and interviewed staff and inmates and determined the facility meets the requirements of this standard.

115.52	Exhaustion of administrative remedies
	<p data-bbox="252 168 893 201">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 246 518 280">Auditor Discussion</p> <p data-bbox="252 324 502 358">Auditor Discussion:</p> <p data-bbox="252 369 1468 660">The Butler County Detention Facility is not exempt from this standard as it does have a policy that addresses inmate grievances. BCDF policy does not impose a time limit when inmates may file a grievance alleging sexual abuse. When submitting a grievance alleging sexual abuse an inmate is not required by policy to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. The Auditor observed nothing in BCDF policy that restricts the agency’s ability to defend against a lawsuit on the grounds that the applicable statute of limitations has expired.</p> <p data-bbox="252 705 1468 873">The BCDF does not require an inmate wishing to submit a grievance alleging sexual abuse against a staff member to submit the grievance to a staff member who is the subject of the complaint. The BCDF prohibits such grievances from being referred to a staff member who is the subject of the complaint.</p> <p data-bbox="252 918 1484 1265">BCDF policy requires a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance. The 90-day time period may not include time consumed by the inmate in preparing any administrative appeal. Staff are required to provide an initial response to an emergency grievance within 48 hours and issue a final decision within 5 calendar days. Policy requires both the initial response and final decision document BCDF’s determination of whether the inmate is at substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance; as well as that such actions were taken within required timelines.</p> <p data-bbox="252 1310 1484 1556">Extensions may be granted for up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The inmate must be notified in writing of any such extension and provide a date by which a decision shall be made. Policy stipulates at any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.</p> <p data-bbox="252 1601 1476 1904">The BCDF allows third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse and to file such requests on behalf of the inmate. The agency requires a condition of processing the request that the alleged victim agree to have the request filed on his/her behalf. The alleged victim must personally pursue subsequent steps in the administrative remedy process. When an inmate declines to have the request processed on his/her behalf, the facility documents the inmate’s decision.</p> <p data-bbox="252 1948 550 1982">Evidence Relied Upon:</p> <p data-bbox="252 1993 1436 2116">Policy – 116.7 – Protection of Inmates Facing Substantial Risk and Emergency Grievances and Grievances pg. 1-2</p> <p data-bbox="252 2116 1484 2150">Policy – 116.11 – Procedures/Rules for Reporting Sexual Abuse and Sexual Harassment pg. 2</p>

Inmate Handbook pg. 21

Interviews with Staff

Interviews with Inmates

Investigative Records

Analysis/Reasoning:

The Butler County Detention Facility reported no grievances alleging sexual abuse within the past 12 months. The Auditor reviewed the facility's Kiosk system. The Kiosk system has an avenue in which inmate can quickly file an allegation of sexual abuse. Filing allegations this way is strictly related to an allegation of sexual abuse or sexual assault. The Kiosk system has a formal grievance mechanism. No inmate has utilized the formal grievance on the Kiosk to make an allegation of sexual abuse.

The Auditor reviewed the agency's Inmate Handbook. The handbook informs inmates how to report allegations of sexual abuse. The procedures listed in the Inmate Handbook include the option for making an allegation through the facility Kiosk system. Each inmate receives a handbook at the time of booking. The Auditor observed reporting procedures posted in each inmate living unit while touring the facility.

The Auditor conducted formal interviews with inmates. The Auditor asked each inmate if they could file a grievance if they felt they were at risk of imminent sexual abuse. The inmate population was aware they could file such a grievance. The Auditor asked each inmate interviewed if he/she filed a grievance alleging an imminent risk of sexual abuse. The inmates were aware of the grievance process and no inmate interviewed had done so. Inmates informed the Auditor they would tell a staff member; some stated they would just put an allegation in through the PREA tab on the Kiosk. The Auditor did encounter some inmates who would use the PREA Hotline number. Each inmate was asked if he/she was required to give his/her name when alleging sexual abuse. Inmates were aware they could submit an allegation anonymously.

The Auditor conducted formal interviews with random and specialized staff. Staff was asked if the facility allows inmates the opportunity to submit grievances alleging a risk of imminent sexual abuse. The Auditor was informed inmates can submit such grievances. Facility staff understood the procedures for submitting emergency grievances alleging a risk of imminent sexual abuse and supervisors were aware of the appropriate time limits to respond to such. A review of grievance records reveals no inmate submitted an emergency grievance alleging an imminent risk of sexual abuse.

The Auditor reviewed investigative records. A third-party submitted an allegation on behalf of an inmate. The inmate refused to speak to the Detective regarding the allegation. The Detective documented the inmate's refusal.

Conclusion:

The Auditor determined the facility has appropriate procedures in place for processing grievances alleging sexual abuse. Facility staff understands those procedures and the inmate population is aware they can submit grievances alleging sexual abuse and/or a risk of imminent sexual abuse. The Auditor reviewed the agency's policies and procedures, investigative records, handbook and conducted interviews with staff and inmates and

determined the facility meets the requirements of this standard.

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The BCDF has a policy to 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 of community victim advocates for emotional support services. Agency policy requires facilities to allow reasonable communications between inmates and the organizations and agencies, in as confidential manner as possible.</p> <p>The Butler County Detention Facility requires facilities to inform inmates of the extent to which communications to those organizations and agencies will be monitored and forwarded in accordance with mandatory reporting laws prior to giving the offenders access.</p> <p>Facility policy stipulates the BCDF will maintain a Memoranda of Understanding with a community service provider who is able to provide inmates with confidential emotional support services related to sexual abuse. Policy requires the facility maintain copies of those agreements.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.15 – Support Services for Victims of Sexual Abuse pg. 1-2 Butler County Inmate Sexual Abuse/Assault Prevention and Intervention brochure Inmate Handbook pg. 21 ICE National Detention Handbook pg. 10-11 Posted Information MOU with Family Life Center – Safehouse Interview with SANE Interview with Staff Interview with Inmates</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the Memorandum of Understanding between the Butler County Detention Facility and the Family Life Center – Safehouse. The agreement includes the following stipulations by the Family Life Center – Safehouse:</p> <ul style="list-style-type: none"> • Provide advocacy services to support the offender victim through the forensic medical examination process and investigatory interviews. Advocates shall provide emotional support, crisis intervention, information and referrals upon request from the Butler County Detention Facility; • Respond to notifications by 24-hour Crisis Line (phone number is provided) email or in person; • Provide main contact from the Family Life Center – Safehouse to the Butler County Detention Facility (Executive Director and Advocate contact information is provided); and • Accept reports of sexual abuse and sexual harassment from inmate victims. Accept reports by either anonymous reporters or by reporters wishing to provide their name.

The Auditor contacted a victim advocate from the Family Life Center – Safehouse (FLCS) from an inmate telephone. The FLCS provides confidential crisis intervention and emotional support services related to sexual abuse to BCDF inmate victims. The FLCS hotline is monitored by trained FLCS staff. The hotline is monitored 24 hours each day, seven days each week. The FLCS can link inmate victims to accompaniment services by trained victim advocates upon request of the victim, when appropriate to do so. The BCDF has posted the agency’s limitations on recording and monitoring of phone calls above the telephones in inmate living units.

The Auditor reviewed the Butler County Inmate Sexual Abuse/Assault Prevention and Intervention brochure. The brochure provides the name, address and contact number of the Family Life Center – Safehouse. The Auditor observed the Family Life Center - Safehouse information posted in each living unit. The posted materials were located on a bulletin board in each living unit. The posted material has the instructions to access the telephone number and includes the address to the Family Life Center – Safehouse. While touring the facility the Auditor called the quick dial access telephone number. The Auditor spoke to a staff person with the Family Life Center – Safehouse on the unit telephone.

The Auditor conducted a review of the BCDF Inmate Handbook. The handbook informs inmates how to access services through the Family Life Center – Safehouse. Inmates are informed of the telephone numbers and address to the safehouse. The Inmate Handbook provides information to the inmate about telephone recording and monitoring procedures. The Auditor reviewed the ICE National Detention Handbook. The handbook includes information for ICE detainees to access emotional support services.

The Auditor conducted a formal interview with the PREA Coordinator. The PREA Coordinator informed the Auditor victim advocates would be allowed access to inmates if they requested to provide services on site to an inmate. The Auditor was informed correspondence from an inmate to the Safehouse was maintained confidentially between the inmate and the safehouse. Those correspondences are treated as legal mail. The Auditor conducted an interview with the Sexual Assault Nurse Examiner. The SANE allows an advocate from the safehouse to provide emotional support services during the forensic evidence collection process at the hospital.

The Auditor conducted formal interviews with inmates. Each inmate was asked if the facility provides them with contact information of a community organization that provides emotional support services to sexual abuse victims. The Auditor discovered some offenders interviewed were unaware of the Family Life Center - Safehouse. The Auditor asked those who were unaware if they were provided an Inmate Handbook and brochure during booking. They had been provided the information but chose not to read it. Each did recall seeing information posted in the living unit but did not read the posted material.

The Auditor conducted an interview with an ICE detainee. The detainee informed the Auditor she was provided an ICE Handbook. She was aware how to contact organizations listed in the ICE National Detention Handbook. She was also aware of posted materials in the living unit to access those services through the Family Life Center – Safehouse.

Conclusion:

The facility maintains documentation it provides emotional support services for sexual abuse victims through a Memorandum of Understanding with the Family Life Center – Safehouse. Contact information with the organization is provided to each inmate upon booking in the Butler County Inmate Sexual Abuse/Assault Prevention and Intervention brochure. The Auditor reviewed the agency’s policies and procedures, MOU, brochure, handbook, posters and interviewed staff and inmates to determine the facility meets the requirements of this standard.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>It is the policy of the Butler County Detention Facility to accept third-party reports of sexual abuse and sexual harassment. The agency’s policy allows reports of sexual abuse and sexual harassment by submitting a report to the Butler County Sheriff’s Office or contacting the Butler County Detention Facility Detective directly. Any fellow inmate, staff member, family member, attorney, or outside advocate may file a third-party report alleging sexual abuse on behalf of an inmate.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.11 – Procedures/Rules for Reporting Sexual Abuse and Sexual Harassment pg. 2 Agency Website Inmate Handbook Interviews with Staff Interviews with Inmates</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the Butler County Detention Facility website. The website includes a link to read more about PREA. When accessing the link, the facility’s instructions for filing a third-party allegation are included within. The public is informed to submit a report to the Butler County Sheriff’s Office or contact the Butler County Detention Facility Detective directly.</p> <p>BCDF staff is required to accept all reports of sexual abuse and sexual harassment, including verbally, in writing, anonymously and by third-party. The Auditor conducted formal interviews with random and targeted staff and asked if they were required to accept third-party reports of sexual abuse or sexual harassment. Each staff member informed the Auditor they are required to accept all allegations of sexual abuse and sexual harassment. Staff informed the Auditor they accept the report, verbally inform a supervisor, and document the allegation on an Incident Report. The Auditor asked each when they are required to submit the Incident Report. Each informed they submit the report as soon as they can.</p> <p>The Auditor conducted formal interviews with inmates. The Auditor asked inmates in what ways the facility makes available for them to file an allegation of sexual abuse or sexual harassment. Inmates informed the Auditor they could use the telephone, tell a staff member, write a grievance or request form, use the Kiosk or inform someone from the public to make an allegation for them. Inmates were aware they do not have to give their name when filing a report of sexual abuse or sexual harassment. All inmates interviewed were aware of the toll free PREA Hotline available for reporting. All inmates interviewed understood how to have a third-party make an allegation of sexual abuse or sexual harassment on their behalf. The Auditor observed the hotline number posted in each living unit with information regarding rules on recording and monitoring of calls.</p> <p>A review of the Inmate Handbook reveals inmates are informed they can tell someone in the community or a fellow inmate to file an allegation on their behalf. An inmate may also submit</p>

an allegation by third-party through the Kiosk system. This method does not require an inmate to give his/her name.

The Auditor interviewed one inmate who had informed a family member of an allegation against a staff member. The family member contacted the facility and reported the allegation. When the Detective investigated the incident, the inmate refused to speak to the Detective. The inmate informed the Auditor he chose not to speak to the investigator because he did not want the family member to report the allegation.

Conclusion:

The Auditor found the facility accepts all reports, including third-party reports, of sexual abuse and sexual harassment. The public is informed through the agency's website how to make third-party reports on behalf of inmates. The Auditor reviewed the agency's policies and procedures, website, handbook and conducted interviews with staff and inmates and determined the facility meets the requirements of this standard.

The Auditor made a recommendation to include the contact information for the Sheriff's Office and the Butler County Detective on the website with the third-party reporting information.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>BCDF policy stipulates any staff member who has knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment, retaliation against inmates or staff who report such an incident; and any staff neglect that may have contributed to such incident or retaliation, shall immediately report such incident or retaliation, in the manner specified by BCDF policy. Staff are prohibited from revealing any information related to a sexual abuse report to anyone other than supervisors or as specified in BCDF policy. Policy allows staff to reveal information related to an incident of sexual abuse to supervisors, medical and investigators.</p> <p>Policy requires all incidents or allegations of sexual abuse and sexual harassment are promptly documented. Staff at the facility are required to write an Incident Report including the details of the allegation, information or suspicion. The BCDF policy requires medical and mental health practitioners to report any and all knowledge, suspicion, or information related to sexual abuse, sexual harassment, retaliation, or staff neglect. Medical and mental health practitioners are considered mandatory reporters of sexual abuse that occurred in an institutional setting. Policy requires medical and mental health practitioners to provide that information, in writing, at the initiation of services and to obtain informed consent at the initiation of services.</p> <p>The agency's policy mandates information related to sexual victimization or abuse that occurred in a community setting is strictly limited to medical and mental health practitioners, and other staff as necessary.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.11 – Procedures/Rules for Reporting Sexual Abuse and Sexual Harassment pg. 2 Investigative Records Population Reports Interviews with Medical Professionals Interview with Investigator Interviews with Staff Interviews with Inmates</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed investigation records. The investigative records reviewed by the Auditor showed staff are immediately reporting allegations to their supervisors verbally. The Auditor observed written Incident Reports documenting the information verbally reported by the reporting staff members. The Auditor conducted an interview with two inmates who made an allegation of sexual abuse. Each was asked if they felt staff maintained confidentiality of their reported allegation. The Auditor was informed they felt confidentiality was maintained by the staff.</p> <p>The Auditor conducted formal interviews with randomly selected and specifically targeted staff</p>

at the BCDF. Each was asked if they were required to report any and all knowledge, suspicion or information related to sexual abuse or sexual harassment. The Auditor was informed staff was required to verbally report the information immediately to a supervisor. The Auditor asked each staff member if they were required to report knowledge, suspicion, or information related to retaliation, staff neglect or a violation of duties which may have contributed to sexual abuse or sexual harassment. All staff interviewed were aware of the agency's requirement to immediately report such activity. Each staff member explained the process of submitting Incident Reports within the facility. The process explained by each staff verifies the requirement is promptly after conclusion of the incident and/or learning of the information.

During interviews with staff the Auditor questioned staff to gain an understanding of staff's ability to maintain confidentiality with any reported or learned information related to sexual abuse or sexual harassment. The Auditor asked staff to explain who they report or discuss details of a sexual abuse or sexual harassment allegation with. Staff informed the Auditor they only discuss details with supervisors, medical and investigators. Medical personnel informed the Auditor they share information with supervisors. Supervisors informed the Auditor they do share information with classification staff for housing, programming and work assignment needs. Staff understood the facility's policy requiring them to discuss information with those with a "need to know." The Auditor asked staff if they discuss the information with personnel on their shift or other shifts. Staff stated they do not do such.

The Auditor conducted formal interviews with medical practitioners. Each was asked if they were required to report any and all information, knowledge, or suspicions of sexual abuse, sexual harassment, retaliation, staff neglect or violations of responsibilities which may have contributed to an incident of sexual abuse. Each informed the Auditor they were mandatory reporters of such information. The Auditor asked how they are required to report the information. Each informed they immediately and verbally report the information to a security supervisor. Medical practitioners are also required to document and submit the information on an Incident Report. The Auditor asked each who they report information related to a sexual victimization that occurred in a community setting to. Each informed they do not report without first obtaining written consent from the inmate. Medical practitioners have not had the need to report such information regarding sexual victimization that occurred in the community. Each is aware of the BCDF's requirement to obtain written informed consent and to provide the limitation of confidentiality at the initiation of services. Medical practitioners informed the auditor they immediately report victimization suffered in an institutional setting to security supervisors.

Security, contract and volunteer personnel interviewed by the Auditor are aware of the requirement to report any and all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports. The Auditor conducted an interview with the facility Detective. The Detective was asked questions regarding third-party and anonymous reports. He informed all allegations are investigated regardless of how they are reported. The investigator stated he continues investigations reported anonymously until an investigative determination can be made. The Detective has conducted investigations in the facility reported by third party.

At the time of the audit there were no youthful inmates housed in the facility. The Auditor reviewed the previous 12 months of population reports and discovered no evidence a youthful

inmate was housed during this audit period. The Butler County Detention Facility does not house youthful inmates who have been certified as adults through any Kansas or other court system. If the inmate is below the age of 18, he/she will be housed in a facility designated to house juveniles.

Conclusion:

The Auditor concluded staff, volunteers and contractors are aware of the requirement to report any knowledge, suspicion, or information related to sexual abuse and sexual harassment. Staff understands the requirement to maintain confidentiality with the information. Interviews with medical practitioners reveal they understand the requirements for reporting sexual abuse and sexual assault which occurred in the community and in a confinement setting. The Auditor reviewed agency policies and procedures, investigative reports, population report, and interviewed staff and determined the facility meets the requirements of this standard.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility policy requires facility staff to take immediate actions to protect an inmate when learning an inmate is at substantial risk of imminent sexual abuse. Each inmate is screened for their risk of sexual victimization within 72 hours of admission to the facility, and in most cases within 24 hours. Inmates who are discovered at risk of sexual victimization are referred to a medical practitioner so a medical risk assessment can be conducted.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.7 – Protection of Inmates Facing Substantial Risk and Emergency Grievances and Grievances pg. 1</p> <p>Policy – 116.6 – Screening of Inmates and Use of Information Obtained to Inform Housing Assignment pg. 1</p> <p>Interviews with Staff</p> <p>Interviews with Inmates</p> <p>Classification Records</p> <p>Observations</p> <p>Analysis/Reasoning:</p> <p>The Auditor participated in a detailed tour of all facility areas. The Auditor observed all living units available to ensure an inmate who is at risk of imminent sexual abuse can be housed separately from abusers. The facility has multiple male living units to ensure separation can be maintained. The facility has an area to ensure female inmates can be maintained separately. The facility has the option to transfer an abusers or victim to another facility if need be. The Auditor observed four (4) male housing units and one female housing unit. There are medical cells and two cells previously utilized to house juveniles to house a female victim or abuser.</p> <p>Formal interviews were conducted with facility supervisors. Facility supervisors were asked to explain how inmates are protected when learning an inmate is at substantial risk of imminent sexual abuse. The Auditor was informed the alleged victim will be moved to a living unit for his immediate safety until an investigation can determine results. The investigator and Classification Officer are informed of the alleged incident.</p> <p>The Auditor conducted formal interviews with classification staff. Classification staff was asked how they ensure the protection of an inmate who is at substantial risk of imminent sexual abuse. The Auditor was informed a reassignment of housing would take place. The Auditor asked classification staff to explain what considerations are given when making their determination. Classification informed they review program, work, and educational assignments to ensure an inmate at risk of sexual victimization will not encounter an inmate who is a likely abuser. Classification stated they would meet with the inmate who alleged a substantial risk of imminent sexual abuse to ensure he/she is maintained safely in the facility. Classification staff will utilize segregation for protective custody as a last resort.</p>

The Auditor conducted formal and informal interviews with both security and non-security staff members. Each was asked what they would do if they were the first person to learn an inmate was at risk of imminent sexual abuse. Staff informed the Auditor they would immediately remove the inmate from the situation and verbally notify their supervisor. The Auditor asked staff to explain how they keep the inmates separated until a supervisor responded to the area. Each staff member was able to articulate reasonable explanations to ensure separation of both inmates. Non-security personnel stated they would immediately notify a security staff member and stay with the alleged victim to ensure he/she was safe.

Interviews were conducted with randomly selected and specifically targeted inmates. The Auditor asked each if they felt safe in the facility. Each inmate stated they do feel safe in the facility. The Auditor asked each if they felt confident in staff's ability to ensure their protection. Each inmate informed the Auditor they feel confident in BCDF staff abilities to protect them from sexual abuse, harassment and retaliation.

The facility reported no incidents in which facility staff learned an inmate was at substantial risk of imminent sexual abuse within the previous 12 months. The Auditor reviewed classification records and found no evidence in which an inmate was determined at risk of imminent sexual abuse. There was no offender housed in segregation who was at risk of imminent sexual abuse at the time of the audit.

Conclusion:

The Auditor concluded staff, volunteers, and contractors have been trained how to take appropriate actions to ensure the protection of inmates who are at a substantial risk of imminent sexual abuse. The Auditor reviewed facility policy and procedures, made observations and conducted interviews with staff and inmates to determine the facility meets the requirements of this standard.

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>Agency policy requires the BCDF to notify the head of the facility where an alleged sexual abuse occurred upon receiving an allegation that an inmate was sexually abused while confined at another facility. Policy dictates the notification must be documented and take place within 72 hours after receiving the allegation. Policy requires the BCDF ensure an investigation is completed for all allegations of sexual abuse and sexual harassment received by the facility.</p> <p>The Butler County Detention Facility reported there were 7 sexual abuse allegations received from inmates who alleged being sexually abused at another facility during this audit period. The Butler County Detention Facility reported receiving no sexual abuse allegations from another facility in the previous 12 months.</p> <p>Policy 116.20 Notifying Other Confinement Agencies of Sexual Abuse, page 1 states, “Shift Supervisor will contact facility or agency where sexual abuse was alleged to occur and speak with that facility’s PREA Coordinator or Agency Head.” PREA standard 115.63 (A) requires the head of the facility that received the allegation shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. The Auditor notified the PREA Coordinator the wording of the facility’s policy was not in compliance with the requirement of the standard.</p> <p>Although the facility’s policy stipulated the “Shift Supervisor” will notify the other facility, the Auditor observed evidence the head of the facility has notified other agencies.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.20 – Notifying Other Confinement Agencies of Sexual Abuse pg. 1-2 Policy – 116.16 – Investigation of Incidents and Notifications pg. 1-4 Notifications to other Facilities Interviews with Staff Interviews with Volunteers Interviews with Contractors</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed a notification that was sent from BCDF to another facility regarding a sexual abuse allegation. The BCDF contacted the other facility the same day and then again, the following morning. The other facility was already aware of the allegation. The inmate continued to file complaints to the BCDF. The PREA Coordinator was made aware and the facility head sent a formal notice to the other facility within 72 hours. The other facility informed the BCDF information had already been sent to the county attorney’s office regarding the inmate’s allegation.</p> <p>The Auditor conducted an interview with the Butler County Detention Facility Operations Captain. The Captain is aware of his requirement to report allegations of sexual abuse to other confinement facilities within 72 hours after receiving the allegation. Notification to other</p>

facilities is made by telephone and secure fax. The BCDF has not received a notification from another facility that a former BCDF inmate alleged suffering sexual abuse while housed at the BCDF. The Operations Captain ensures all allegations received by other facilities are fully investigated. The Operations Captain stated the facility Detective is immediately notified after receiving an allegation from another agency that involves a former BCDF inmate.

The Auditor conducted formal interviews with facility staff, volunteers and contract personnel. Each person interviewed stated they are required to immediately report and document any and all knowledge, suspicion and information regarding sexual abuse and sexual harassment. The Auditor asked each how quickly they are required to report the information and was informed "immediately." They verbally report the information to their supervisor.

Conclusion:

Prior to the completion of this report the PREA Coordinator had the facility's policy updated to read, "The Operations Captain will contact the facility or agency where sexual abuse was alleged to have occurred and speak with that facility's PREA Coordinator or Agency Head." The Operations Captain understands the requirement to report allegations to other confinement facilities and to ensure allegations received are investigated. The Operations Captain is the facility head at the Butler County Detention Facility. Staff, volunteers and contractors at the Butler County Detention Facility understand the facility's requirement to immediately report allegations of sexual abuse and sexual harassment so allegations can be investigated. The Auditor reviewed the facility's policies and procedures, facility notifications and interviewed staff, volunteers and contractors and determined the facility meets the requirements of this standard.

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility maintains a policy that requires the first security staff member to respond to an alleged sexual abuse perform the following steps:</p> <ul style="list-style-type: none"> • Separate the alleged perpetrator; • Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; • Do not leave the victim alone and maintain direct supervision by a security staff member; • If the alleged abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim and ensure that the alleged abuser not take any actions that could destroy physical evidence, including washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating. <p>Facility policy requires non-security first responders to request the alleged victim not take actions that could destroy physical evidence and notify a security staff member.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.13 – Immediate Steps After Receiving a Report of Sexual Abuse pg. 1 Policy – 116.12 – Coordinated Response to Report of an Incident of Sexual Abuse/Evidence Protocol pg. 3 Sexual Abuse Response Checklist Interviews with Supervisors Interviews with Medical Practitioners Interviews with Security First Responders Interviews with Non-Security First Responders</p> <p>Analysis/Reasoning:</p> <p>The Auditor conducted interviews with security and non-security staff first responders. All security first responders were asked to explain the actions they take when responding to a sexual abuse incident. Each security staff member was able to articulate an appropriate response which included the above listed actions following an alleged sexual abuse incident. The Auditor asked each how they would ensure the alleged victim and alleged abuser were separated. Staff informed they would place the alleged abuser in the vestibule outside the living unit and stay with the victim until the supervisor arrived. Staff stated they would immediately call for assistance and inform their supervisor.</p> <p>Each staff member was asked how they would protect the crime scene following an incident of sexual abuse. The Auditor was informed the area would be secured and no staff or inmates would be allowed entry. The population would remain on lockdown or kept away from the area until the investigator was able to process the crime scene. Staff utilize the unit log to record entry and removal of evidence from the crime scene.</p> <p>The Auditor asked supervisory and subordinate staff to explain who would be allowed in a</p>

crime scene following an alleged sexual abuse incident. Staff stated the facility Detective would be the only person allowed in a crime scene to process physical evidence. Supervisors were asked to explain their response actions following an alleged sexual abuse. The Auditor was informed they would ensure the alleged victim and alleged abuser were immediately removed from the area and maintained separately in the facility. They would ensure the crime scene was secured and a staff member posted to ensure no one enters the crime scene. Supervisors stated they would send the victim to medical for immediate medical treatment. Supervisors stated they would ensure the Sexual Abuse Response Checklist was started by the first responder and ensure all actions on the checklist were followed. Supervisors were asked if they would ensure the abuser received medical attention and informed the Auditor "yes."

The Auditor conducted formal interviews with non-security personnel. Each non-security personnel interviewed by the Auditor were asked what actions they take when learning an inmate has alleged sexual abuse. The personnel were able to articulate they would ensure the alleged victim remains with them and immediately inform a security staff member. The Auditor asked each how they ensured the evidence would be preserved. Non-security personnel informed they would request the victim not take actions to destroy any evidence. The personnel were aware of the required first responder actions such as requesting the victim not washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

Medical practitioners at the facility have received specialized training to preserve physical evidence while treating victims of sexual abuse. Medical personnel informed they would treat any immediate medical needs. They would request the victim not use the restroom, shower, or take any other actions which could destroy evidence. The Auditor asked medical staff how they preserve evidence while treating the inmate. Medical practitioners explained how they attempt to preserve evidence while treating a sexual abuse victim. Medical practitioners informed they would immediately notify a supervisor if they were the first person to be notified of an alleged sexual abuse. The Auditor was informed medical practitioners at the facility do not perform forensic examinations. Those examinations are performed at the local hospital.

The facility reported there were 3 allegations of sexual abuse made by inmates in the past 12 months. Of the 3 incidents, none required first responder duties. Staff were not notified in a time period that allowed for the collection of evidence in any of the cases. None of the 3 allegations were reported to a non-security first responder. In each case, responded to by security staff, the alleged victim was separated from the alleged perpetrator.

The agency utilizes a Sexual Abuse Response Checklist for staff to follow after an alleged incident of sexual abuse is reported. The checklist includes, but is not limited, to the following:

- Separation of abuser and victim;
- First responder duties;
- Securing the crime scene;
- Explanation of victim rights;
- Transportation to forensic exam;
- Contacting safehouse;
- Evaluation by medical;
- Processing of crime scene; and

- Documentation collection.

The Sexual Abuse Response Checklist requires the name of the staff member performing each action, date, time and employee ID number. Utilization of the checklist ensures the proper protocols are followed. The facility maintains a Sexual Abuse Response Checklist for utilization when ICE detainees are victimized.

Conclusion:

The Auditor determined both security and non-security staff are knowledgeable in their duties as first responders of sexual abuse. The Auditor reviewed agency policies and procedures, Sexual Abuse Response Checklist and conducted interviews with staff and determined the facility meets the requirements of this standard.

115.65	Coordinated response
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 504 360">Auditor Discussion:</p> <p data-bbox="252 371 1477 450">The facility’s policy, Coordinated Response to Report of an Incident of Sexual Abuse/Evidence Protocol, serves as the facility’s coordinated response plan.</p> <p data-bbox="252 499 1477 618">The facility utilizes a Sexual Abuse Response Checklist to supplement the coordinated response plan. The Sexual Abuse Response Checklist requires each staff member’s name, ID number and date and time the staff took those actions.</p> <p data-bbox="252 667 552 701">Evidence Relied Upon:</p> <p data-bbox="252 712 1449 790">Policy – 116.12 – Coordinated Response to Report of an Incident of Sexual Abuse/Evidence Protocol pg. 1-6</p> <p data-bbox="252 801 705 835">BCDF Coordinated Response Plan</p> <p data-bbox="252 846 699 880">Sexual Abuse Response Checklist</p> <p data-bbox="252 891 453 925">Staff Interviews</p> <p data-bbox="252 974 517 1008">Analysis/Reasoning:</p> <p data-bbox="252 1019 1439 1137">The Butler County Detention Facility has a written Coordinated Response Plan. The plan includes response actions for staff first responders, supervisors, medical and mental health practitioners, investigators and facility leadership.</p> <p data-bbox="252 1187 1430 1305">The facility did not have an incident of sexual abuse requiring activation of the coordinated response plan within the previous 12 months. There were no completed examples of the Sexual Abuse Response Checklist for the Auditor to review.</p> <p data-bbox="252 1355 1484 1518">During interviews with specialized staff members the Auditor asked first responders, medical practitioners, investigator, and command staff questions regarding their duties in response to an alleged sexual abuse incident. Each specialized staff interviewed by the Auditor was able to articulate their required response actions following an alleged sexual abuse incident.</p> <p data-bbox="252 1529 1484 1648">Specialized staff interviewed by the Auditor understand and make appropriate response efforts to an alleged sexual abuse incident and staff has been appropriately trained to respond to such incidents.</p> <p data-bbox="252 1697 405 1731">Conclusion:</p> <p data-bbox="252 1742 1471 1951">The Auditor determined the facility maintains an appropriate institutional plan that coordinates the actions of personnel following an incident of sexual abuse. Based on a review of the agency’s policies, procedures, coordinated response plan, Sexual Abuse Response Checklist and interviews with staff, the Auditor determined the facility meets the requirements of this standard.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility policy prohibits entering into or renewing any collective bargaining agreement or other agreement that limits BCDF's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or a determination of whether and to what extent discipline is warranted.</p> <p>Policy states nothing in this section [of policy] shall restrict BCDF entering into or renewing agreements that govern:</p> <ul style="list-style-type: none"> • The conduct of the disciplinary process, as long as such agreements are not inconsistent with the provisions in this policy relating to the standard of evidence for substantiating allegations of sexual abuse/harassment in BCDF policy 116.16 (Investigation of Incidents) and disciplinary sanctions for staff in BCDF policy 116.18, (Sanctions Against Abusers When Allegations are Substantiated); or • Whether a no-contact assignment that is imposed pending the outcome of an investigation shall be expunged from or retained in the staff member's personnel file following a determination that the allegation of sexual abuse is not substantiated. <p>Evidence Relied Upon:</p> <p>Policy – 116.24 – Preservation of Ability to Protect Inmates from Contact with Abusers pg. 1 Staff interviews</p> <p>Analysis/Reasoning:</p> <p>The Butler County Detention Facility has not entered into any agreement that limits the agency's ability to remove alleged staff sexual abusers from contact with inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.</p> <p>Interviews with staff reveal no staff participates with a collective bargaining agreement. Interviews with command staff reveal alleged staff sexual abusers can be removed from contact with inmates pending the outcome of an investigation.</p> <p>Conclusion:</p> <p>The Auditor determined the agency has not entered into an agreement that limits its ability to remove alleged staff sexual abusers from contact with inmates. The Auditor reviewed the facility's policy and interviewed staff and determined the facility meets the requirements of this standard.</p>

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The BCDF has a policy to ensure the protection of inmates and staff who report allegations of sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff. Policy requires the following protections measures for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations:</p> <ul style="list-style-type: none"> • Housing changes; • Transfers for inmate victims; • Transfers for inmate abusers; • Removal of alleged staff or inmate abusers from contact with victims; and • Emotional support services. <p>Facility policy requires retaliation monitoring for a period of at least 90 days following a report of sexual abuse. The Retaliation Monitor is required to monitor the conduct and treatment of inmates or staff who reported sexual abuse, and of inmates who were reported to have suffered sexual abuse, to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. BCDF monitors are required to monitor beyond 90 days if the initial monitoring indicates an ongoing need. The Retaliation Monitor is required to conduct:</p> <ul style="list-style-type: none"> • Periodic in-person conversations with inmates and/or staff; • Reviews of disciplinary incidents involving inmates; • Reviews of housing changes; • Reviews of program changes; and • Reviews of negative performance reviews or reassignments of staff. <p>Evidence Relied Upon:</p> <p>Policy – 116.17 – Protection from Retaliation pg. 1 Retaliation Monitoring Case File to include Incident Reports Interview with Retaliation Monitor Interviews with Inmate</p> <p>Analysis/Reasoning:</p> <p>The agency’s policy includes the elements of PREA standard 115.67 to ensure inmates and staff are protected from retaliation by staff or other inmates. The Butler County Detention Facility has designated two Lieutenants and the facility Detective responsible for monitoring retaliation as required by PREA standard 115.67.</p> <p>The Retaliation Monitor documents meetings with inmates on Incident Reports. The Auditor reviewed the retaliation monitoring documents of one allegation of retaliation filed by an inmate. The allegation of retaliation was alleged in June 23, 2019. The Retaliation Monitor immediately met with the inmate to discuss the allegation. The Retaliation Monitor routinely</p>

met with the inmate to discuss the inmate's actions. The inmate was informed the Retaliation Monitor would continue to monitor housing, reports and staff actions to ensure the inmate was not being retaliated against.

The Butler County Detention Facility reported one allegation of retaliation occurred in the previous 12 months. The Auditor interviewed the inmate who claimed an allegation of retaliation. The inmate informed the Auditor she submitted a complaint against a staff member and felt the staff member was retaliating against her for doing so. The inmate informed the Auditor the Retaliation Monitor routinely met with her to discuss her complaint and how she was getting along in the facility. An investigator met with the inmate and determined her allegation was unsubstantiated. The documents reviewed by the Auditor revealed the inmate was unable to explain specifics to justify any acts of retaliation against her.

The Auditor conducted a formal interview with a staff member responsible for monitoring retaliation. The facility has designated two Lieutenants and the Detective responsible for monitoring retaliation. The Auditor asked the Lieutenant to explain what she reviews when performing retaliation monitoring. The monitor informed she reviews disciplinary charges, grievances, Incident Reports, classification actions, staff evaluations, speaks to staff and inmates and reviews duty rosters. The Retaliation Monitor reviews documents maintained in an inmate's electronic record. The Auditor asked the monitor to explain the process if retaliation is against a staff member. The monitor does make recommendations for staff shift and/or post assignment changes if need be.

The Auditor asked the Retaliation Monitor if there is a maximum amount of time she will monitor for acts of retaliation. She stated the BCDF policy does not designate a maximum amount of time to monitor for acts of retaliation. The monitoring continues until the threat of retaliation no longer exists or the inmate or staff member is no longer at the facility. The Auditor asked the minimum amount of time for monitoring retaliation. The retaliation monitor stated she monitors retaliation for a period no less than 90 days. The Auditor asked the monitor to explain what actions she takes to ensure inmates are protected. The monitor explained she will make housing assignment changes, program assignment changes, reassignment of work positions and education adjustments, and place disciplinary charges against the person who is retaliating against the inmate. If retaliation is occurring by a staff member the monitor discusses the issue with the staff member's supervisor.

The retaliation monitor stated she communicates with medical and mental health practitioners if referrals for support services are needed for a victim of retaliation. If the Retaliation Monitor determines an inmate cannot be protected at the facility, she can discuss the possibility of a transfer of the inmate to another facility as a courtesy hold. The Auditor asked if there was an inmate currently being monitored for retaliation. The monitor explained she is not currently monitoring any inmate for retaliation. After several meetings and discussions with the last inmate being monitored the monitor discontinued monitoring activity of the inmate.

The Auditor conducted formal interviews with three inmates who alleged sexual abuse and sexual harassment. The Auditor asked each if they had been retaliated against by a staff member or other inmate for making an allegation or cooperating with the facility Detective or other facility staff. None of the three inmates stated they had been retaliated against.

Conclusion:

The BCDF has appointed three staff members responsible for monitoring acts of retaliation against inmates and staff. The monitor interviewed was well educated in her responsibilities for monitoring retaliation. The Auditor reviewed the facility's policies and procedures, retaliation monitoring documents, Incident Reports and conducted formal interviews with staff and inmates and determined the facility meets the requirements of this standard.

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Detention Facility has a policy which requires the protection of an inmate who is alleged to have suffered sexual abuse. The policy requires the use of segregated housing be subjected to the requirements of PREA standard 115.43.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.8 – Protective Custody and Segregated Housing pg. 1-2 Interview with Segregated Housing Unit Staff Interview with Inmates Classification Records Observations</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed the agency’s policy regarding the use of segregation housing to protect inmates at high risk of sexual victimization. The facility’s policy states inmates at high risk for sexual victimization (ATRSK) shall not be placed in involuntarily segregated housing unless BCDF staff has assessed all available alternatives and has determined that there is no available alternative means of separation from likely abusers. Policy stipulates if the BCDF cannot conduct such an assessment immediately, the facility may hold the inmate in involuntary segregated housing for less than 24 hours while completing the assessment.</p> <p>The Auditor conducted formal and informal interviews with staff who supervise inmates in segregation housing. The Auditor asked if they have supervised an inmate who has been placed in segregation housing after allegedly an incident of sexual abuse. Each informed the Auditor they were unaware of an inmate being housed in segregation for that reason. The staff was asked if inmates in segregated housing have access to programs, education, work and other privileges. The Auditor was informed inmates do have access to such, to the extent possible.</p> <p>The Auditor discussed the use of segregated housing with the classification staff. The Auditor asked classification staff if they conduct a review of those placed in segregation after suffering sexual abuse. Classification staff informed the Auditor a review would be conducted if a victim were to be placed involuntarily in segregated housing. The Auditor asked if the victimized inmate would be removed from programming, education or work status as a result of being placed in segregation housing. The Auditor was informed the inmate would be able to participate in programs, education, and work while being housed in segregation for protection as a sexual abuse victim, consistent with safety and security needs.</p> <p>Classification staff informed the Auditor there are multiple housing options available and therefore do not automatically place a sexual abuse victim in segregation for his/her protection. Classification explained other alternatives are explored and segregation is utilized as a last resort. The Auditor was informed there are numerous areas in the facility to place sexual abuse victims to ensure they are protected from abusers without having to place the</p>

victim in segregation housing. Classification stated they can recommend a transfer of the abuser or victim to another facility if need be. The Auditor asked if there were any inmates placed in segregation for protection as a sexual abuse victim in the last 12 months. Classification informed there were no inmates placed in segregation for protection as a sexual abuse victim.

The Auditor participated in a detailed tour of the facility, including segregation housing. A review of segregation records revealed there were no inmates housed in segregation for protection as a sexual abuse victim at the time of the audit. The Auditor observed multiple housing areas the facility can utilize to protect sexual abuse victims without having to place the victim in segregation housing. The facility has an area to separate female abusers from victims. A transfer can be recommended by classification staff if there are multiple females who may need separation.

The Auditor conducted interviews with inmates who alleged sexual abuse. None of the inmates interviewed was placed in segregation to ensure his/her protection from sexual abuse.

Conclusion:

The agency's policy includes the elements of PREA standard 115.43 to ensure sexual abuse victims receive privileges, programming, education, and work opportunities if a victim is placed in segregated housing for protection. After a thorough review of the agency's policies and procedures, classification records, making observations, and interviewing staff and inmates the Auditor determined the facility meets the requirements of this standard.

115.71	Criminal and administrative agency investigations
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Auditor Discussion:</p> <p>The Butler County Detention Facility’s Detective conducts administrative and criminal investigations. The BCDF requires its investigators receive special training to conduct sexual abuse investigations in confinement settings. BCDF policy requires the specialized training include:</p> <ul style="list-style-type: none"> • Techniques for interviewing sexual abuse victims; • Appropriate application of Miranda and Garrity warnings; • Sexual abuse evidence collection in confinement settings; and • The criteria and evidence required to substantiate a case for prosecution referral. <p>Investigators are required to:</p> <ul style="list-style-type: none"> • Gather and preserve direct and circumstantial evidence, including physical and DNA; • Gather and preserve available electronic monitoring data; • Interview alleged victims, suspected perpetrators, and witnesses; • Review prior complaints and reports of sexual abuse involving the suspected perpetrator. <p>When the quality of evidence appears to support criminal prosecution, BCDF investigators may only conduct compelled interviews after consulting with prosecutors as to whether compelled interviews may be an obstacle for criminal prosecution. Investigators are required by policy to assess the credibility of an alleged victim, suspect, or witness on an individual basis and may not determine credibility on the person’s status as an inmate or staff member. Policy prohibits requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation. Policy requires administrative investigations include efforts to determine whether staff actions or failure to act contributed to an act of sexual abuse. Administrative investigatory reports are required to include a description of physical evidence, testimonial evidence, the reason behind credibility assessments, and investigative facts and findings. Policy requires criminal investigations be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of documentary evidence where feasible.</p> <p>Facility investigators are required to refer substantiated allegations which appear to be criminal in nature for prosecution. Investigators are required to maintain written investigative reports for as long as the alleged abuser is incarcerated or employed by the agency, plus an additional 5 years. Policy prohibits the termination of an investigation if an inmate is released or a staff member is terminated or terminates employment.</p> <p>If other agencies investigate allegations of sexual abuse at the BCDF, facility Investigators are required by policy to cooperate with those agencies and are required to endeavor to remain informed about the progress of the investigation.</p>

At the time of the audit there was one agency investigator assigned to the Butler County Detention Facility on a fulltime basis. The investigator had received specialized training to conduct sexual abuse investigations in confinement facilities.

Evidence Relied Upon:

Policy – 116.16 – Investigation of Incidents and Notifications pg. 1-4

Policy – 116.21 – Training and Education of Staff pg. 2

Investigator Training Records

Interview with Detective

Investigative Records

Observations

Analysis/Reasoning:

The Auditor conducted a formal interview with the facility Detective. The Detective discussed the procedure he utilizes when investigating allegations of sexual abuse and sexual harassment. He explained before speaking to those involved, he reviews electronic information maintained in inmate records. The Detective interviews the victim, perpetrator and any witnesses, including staff witnesses. The Auditor asked what the Detective reviews when looking in inmate records. The Detective explained he reviews criminal history, disciplinary records, grievances, Incident Reports and any other relevant documents. The Detective uses this information to assist in determining credibility.

The Detective informed the Auditor he reviews video footage when available. The Auditor asked the Detective if he attempts to discover whether staff actions or failures to act contributed to an incident of sexual abuse or sexual harassment. The Detective does attempt to discover if staff actions or failures to act contributed to an incident of sexual abuse or sexual harassment during his investigatory efforts. The Auditor asked the Detective what he uses as evidence during his investigation process. The Detective explained he gathers video footage, Incident Reports, Request Forms, grievances, telephone recordings, facility logs, testimonies and any other relevant documents and items which could be considered evidence to support his determination. The Detective explained he begins his investigation efforts as soon as he receives an allegation. The Detective stated he is required to immediately report to the facility to begin a sexual abuse investigation if the incident occurs during non-business hours.

The Auditor observed the office where the Detective maintains investigative records. Investigative files are maintained electronically and in written format in the Detective's office. Completed copies of investigative reports are forwarded to the PREA Coordinator for historical filing and data collection. The Auditor observed the PREA Coordinator's office where copies of investigative records are maintained. Both the PREA Coordinator and the Detective have individual offices. Copies of the investigative records are maintained in a locked drawer in the locked office. All electronically stored investigative files require a unique username and password for access. The computers are in a locked office. The Detective and PREA Coordinator both explained all investigative files are maintained for a minimum of 5 years after the abuser has been released or a staff abuser is no longer employed with the BCDF. The Auditor asked the Detective if he requires inmates to submit to a polygraph examination at any time during his investigation. He explained the BCDF does not polygraph inmates who make allegations of sexual abuse.

The Auditor asked the Detective how he conducts investigations of allegations that are reported anonymously. The Detective informed the Auditor he conducts them as he would any other investigation. The Detective continues his investigatory efforts as he would any other investigation until a determination can be made. The Detective stated he continues his investigative efforts even if an inmate is released or a staff member terminates employment during or before the investigation begins.

The Auditor reviewed 6 investigative files. One was an allegation of sexual abuse against a contractor, 2 were staff-on-inmate sexual abuse, 2 were staff-on-inmate sexual harassment and one was inmate-on-inmate sexual harassment. The allegation against the contractor was unsubstantiated. One allegation of staff-on inmate sexual abuse was unsubstantiated. The rest of the allegations were unfounded. All investigations were conducted by a facility detective. A review of investigative reports shows the Detective conducted each investigation promptly, thoroughly and objectively. The Auditor observed the investigative reports included a description of physical evidence, testimonial evidence, and investigative facts and findings. Each investigative report reviewed by the Auditor included the Detective's findings of direct and circumstantial evidence and the Detective's review of video monitoring technology. The Auditor clearly observed the Detective interviewed the victim, perpetrator and witnesses.

Although the Detective conducted a credibility assessment, the reason behind the assessment was not included in investigative reports. The Auditor discussed credibility assessment documentation in written reports with the Detective. The Detective had just received an allegation while the Auditor was on site. The Auditor asked the Detective to document the reason behind credibility assessments in his upcoming report.

The Auditor conducted a review of the Detective's training record. The Detective had received specialized training to conduct sexual abuse investigations in confinement settings. The training seminar was conducted within the required elements of PREA standard 115.34 as notated earlier in this report.

The facility had no incidents that were referred for criminal prosecution.

No outside agency is responsible for conducting investigations in the Butler County Detention Facility.

Conclusion:

The Auditor did not consistently observe the reason behind credibility assessments in written reports. After interviewing the Detective, the Auditor determined he does review and determine credibility of the victim, abuser and witnesses. The Auditor reviewed how to document a credibility assessment with the Detective. After the on-site portion of the Audit was complete the Detective forwarded a completed investigative report from an allegation that recently occurred. The Auditor reviewed the investigative report and observed the reason behind his credibility assessments documented in the report. The Detective will include the reason behind credibility assessments in his future reports.

The Auditor determined the facility Detective is conducting appropriate, objective and thorough sexual abuse and sexual harassment investigations. The Detective has received the appropriate training to conduct sexual abuse and sexual harassment investigations in a

confinement setting. The Auditor determined the facility meets the requirements of this standard.

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion: The Butler County Detention Facility has a policy that imposes no standard higher than a preponderance of evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.</p> <p>Evidence Relied Upon: Policy – 116.16 – Investigation of Incidents and Notifications pg. 2 Investigative Reports Interview with Investigators</p> <p>Analysis/Reasoning: The Auditor conducted a formal interview with the facility Detective. The Detective was asked what standard of evidence he uses to substantiate an allegation of sexual abuse or sexual harassment. The Detective informed the Auditor he imposes no standard higher than a preponderance of the evidence.</p> <p>The Auditor reviewed 6 investigative reports. A review of the reports revealed the facility’s Detective is utilizing a preponderance of evidence when making his investigative determination.</p> <p>Conclusion: The Auditor was able to determine the Detective uses a preponderance as the basis for his determinations. The Auditor reviewed the agency’s policies and procedures, investigative reports, and interviewed a Detective and determined the facility meets the requirements of this standard.</p>

115.73	Reporting to inmates
	<p data-bbox="252 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 248 523 282">Auditor Discussion</p> <p data-bbox="252 327 504 360">Auditor Discussion:</p> <p data-bbox="252 371 1474 663">The Butler County Detention Facility policy requires inmates be notified whether a sexual abuse allegation has been determined to be substantiated, unsubstantiated, or unfounded following an investigation. Facility policy requires BCDF to request the relevant information from an investigating agency when BCDF does not conduct the investigation so BCDF staff can inform the inmate. Policy requires the facility investigator make notifications to the inmate. The Detective is required to document the notification to the inmate. The Detective is not obligated to inform the inmate is the inmate is released from BCDF custody.</p> <p data-bbox="252 707 1350 786">If the alleged abuser is a staff member, the BCDF policy stipulates the inmate will be subsequently informed when:</p> <ul data-bbox="252 842 1442 1088" style="list-style-type: none"> • The staff member is no longer posted within the inmate’s unit; • The staff member is no longer employed at the facility; • The BCDF learns that the staff member has been charged with or indicted on a charge related to sexual abuse within the facility; or • The BCDF learns that the staff member has been convicted on a charge related to sexual abuse within the facility. <p data-bbox="252 1133 1465 1211">If the alleged abuser is an inmate, the BCDF policy stipulates the inmate will be subsequently informed when:</p> <ul data-bbox="252 1267 1461 1424" style="list-style-type: none"> • The BCDF learns that the alleged abuser has been charged with or indicted on a charge related to sexual abuse within the facility; or • The BCDF learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility. <p data-bbox="252 1480 552 1514">Evidence Relied Upon:</p> <p data-bbox="252 1525 1134 1559">Policy – 116.16 – Investigation of Incidents and Notifications pg. 3-4</p> <p data-bbox="252 1570 695 1603">Notification of Investigation Status</p> <p data-bbox="252 1615 536 1648">Investigative Records</p> <p data-bbox="252 1659 560 1693">Interview with Detective</p> <p data-bbox="252 1738 520 1771">Analysis/Reasoning:</p> <p data-bbox="252 1783 1442 1939">The Auditor conducted a formal interview with the facility Detective. The Detective informs inmates of the results of an investigation at the conclusion of the investigation. The Auditor asked who informs the inmate victim when charges are placed on the abuser or the abuser has been convicted. The Detective informed the Auditor he would make those notifications.</p> <p data-bbox="252 1995 1481 2152">The Auditor reviewed 6 investigative records. There was one allegation of sexual abuse by a contractor, two allegations of sexual abuse against a staff member, two allegations of staff-on-inmate sexual harassment, and one allegation of inmate-on-inmate sexual harassment. The Auditor observed each inmate was notified of the investigative determination at the conclusion</p>

of the investigation. Each notification to the inmates was made in writing by the facility Detective. Each notification reviewed by the Auditor stipulated the determination.

The agency did not notify any inmate of a staff member's status as there were no substantiated allegations of sexual abuse made against a staff member.

The Auditor interviewed one inmate who alleged sexual abuse while at the facility. The inmate alleged a sexual abuse incident against a staff member. The Auditor asked the inmate if he was notified at the conclusion of the investigation. The inmate was notified by the investigator the incident was unsubstantiated. The incident was reported by a third-party and the inmate refused to speak to the detective during the investigation. The Auditor asked the inmate how he was notified. The inmate was notified in writing on the Notification of Investigation Status.

Conclusion:

The Auditor concluded the facility Detective informs inmates of investigative findings after the conclusion of an investigation. The Auditor reviewed facility policies and procedures, notifications to inmates and conducted an interview with the Detective to determine the facility meets the requirements of this standard.

115.76	Disciplinary sanctions for staff
	<p data-bbox="248 170 896 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 282">Auditor Discussion</p> <p data-bbox="248 327 504 360">Auditor Discussion:</p> <p data-bbox="248 371 1485 663">The Butler County Detention Facility staff is subject to disciplinary sanctions up to and including termination for violating the facility’s sexual abuse or sexual harassment policies. The facility makes termination the presumptive disciplinary measure for those who have engaged in sexual abuse. Policy requires disciplinary sanctions for violations of BCDF policies relating to sexual abuse or sexual harassment be commensurate with the nature and circumstances of the acts committed, the staff member’s disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.</p> <p data-bbox="248 707 1453 875">Policy requires BCDF to notify law enforcement agencies after terminating an employee for violations of facility sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation. The BCDF is not required to report these actions if the activity was clearly not criminal.</p> <p data-bbox="248 920 552 954">Evidence Relied Upon:</p> <p data-bbox="248 965 1422 1043">Policy – 116.18 – Sanctions for Individuals Found to have Participated in Sexual Abuse or Sexual Harassment pg. 1</p> <p data-bbox="248 1088 536 1122">Investigative Records</p> <p data-bbox="248 1133 512 1167">Interviews with Staff</p> <p data-bbox="248 1223 520 1256">Analysis/Reasoning:</p> <p data-bbox="248 1267 1485 1514">The Auditor conducted formal interviews with staff at the Butler County Detention Facility. Staff have been made aware termination is the presumptive disciplinary measure for engaging in acts of sexual abuse or sexual harassment. The facility’s leadership utilizes a zero-tolerance approach and disciplines staff for violating the facility’s sexual abuse and sexual harassment policies. Interviews with command staff reveal the facility will terminate a staff member who engages in sexual abuse of an inmate.</p> <p data-bbox="248 1559 1469 1816">The facility Detective has the legal authority to place criminal charges against a staff member who engages in acts of sexual abuse or a criminal act of sexual harassment. The Detective informed the Auditor he coordinates with the prosecutor’s office following such an incident if the act was clearly criminal. Facility staff report criminal acts of sexual abuse to relevant licensing bodies following an incident of such or following a resignation which would have resulted in a termination.</p> <p data-bbox="248 1861 1485 2119">If a medical or mental health professional is found to have engaged in sexual abuse the Butler County Detention Facility the Kansas Board of Nursing will be notified. The facility does not notify relevant licensing bodies if an act of sexual abuse or sexual harassment was clearly not criminal. The agency does notify relevant licensing bodies when a staff member terminates employment if that staff member would have otherwise been terminated for committing a criminal act of sexual abuse or sexual harassment.</p>

The facility reported one staff member has been found in violation of facility sexual abuse policies in the past 12 months. The incident involving the staff member resulted in an unfounded investigation determination. The investigative efforts revealed an “undue familiarity” developing between the staff member and inmate. The staff member was terminated from the facility. Neither law enforcement nor a relevant licensing body was notified as the act was clearly not criminal.

The agency reported no substantiated incidents of staff-on-inmate sexual abuse or sexual harassment at the Butler County Detention Facility resulting in disciplinary measures during this audit period.

Conclusion:

The Butler County Detention Facility has an appropriate policy to ensure BCDF personnel who violate sexual abuse or sexual harassment policies are appropriately disciplined and the appropriate agencies are notified. The Auditor conducted a review of the agency’s policies and procedures, investigative reports and interviewed staff and determined the facility meets the requirements of this standard.

115.77	Corrective action for contractors and volunteers
	<p data-bbox="248 168 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 504 365">Auditor Discussion:</p> <p data-bbox="248 371 1481 618">The Butler County Detention Facility has a policy which mandates contractors and volunteers who engage in sexual abuse are prohibited from contact with inmates. The facility's policy is to notify law enforcement agencies and relevant licensing bodies, unless the activity was clearly not criminal in nature. The facility takes appropriate remedial measures and considers prohibiting further contact with inmates for violations of other agency sexual abuse or sexual harassment policies.</p> <p data-bbox="248 669 549 705">Evidence Relied Upon:</p> <p data-bbox="248 712 1418 786">Policy – 116.18 – Sanctions for Individuals Found to have Participated in Sexual Abuse or Sexual Harassment pg. 1</p> <p data-bbox="248 792 483 828">Investigative Record</p> <p data-bbox="248 835 1404 871">BCDF Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors</p> <p data-bbox="248 878 499 913">Interview with Staff</p> <p data-bbox="248 920 592 956">Interviews with Contractor</p> <p data-bbox="248 963 592 999">Interviews with Volunteers</p> <p data-bbox="248 1050 517 1086">Analysis/Reasoning:</p> <p data-bbox="248 1093 1469 1386">The Butler County Detention Facility has had no reported incidents of a volunteer in violation of sexual abuse or sexual harassment policies. The BCDF had one reported incident in which a contractor has been alleged to have engaged in sexual abuse in the previous 12 months. The incident resulted in an unsubstantiated investigation determination. The contractor was removed from inmate contact and terminated from the facility. Neither law enforcement nor relevant licensing body was notified as the act committed was clearly not criminal.</p> <p data-bbox="248 1438 1485 1816">The Auditor conducted formal interviews with volunteer and contract personnel. Each volunteer and contract personnel interviewed was aware of the facility's discipline sanctions for violating sexual abuse or sexual harassment policies. Volunteers and contractors are made aware of the facility's sexual abuse and sexual harassment policies during their orientation training. Each volunteer and contractor received a BCDF Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors. Each volunteer and contractor signed receipt of the training material. The BCDF Guide on Sexual Abuse Prevention and Response for Volunteers and Contractors informs volunteers and contractors potential consequences for sexual abuse or sexual harassment of inmates includes:</p> <ul data-bbox="248 1868 876 2074" style="list-style-type: none"> • Dismissal from the facility; • Termination of the contractor/volunteer duties; • Reporting to relevant licensing bodies; • Criminal prosecution; and • Civil liability. <p data-bbox="248 2125 1367 2161">The facility's leadership is aware of the requirement to notify relevant licensing bodies</p>

following a contractor or volunteer's participation in a criminal act of sexual abuse or sexual harassment. Command staff informed the Auditor a contractor or volunteer would be prohibited from inmate contact if determined to have participated in an act of sexual abuse. The facility will not notify relevant licensing bodies if the act committed by a volunteer or contractor was clearly not criminal.

Conclusion:

The Butler County Detention Facility maintains appropriate policies to ensure contractors and volunteers at the BCDF are removed from inmate contact after committing an act of sexual abuse or sexual harassment. The Auditor reviewed the facility's policy and procedures, investigative reports and conducted formal interviews with staff, volunteer and contract personnel and determined the facility meets the requirements of this standard.

115.78	Disciplinary sanctions for inmates
	<p data-bbox="248 168 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 284">Auditor Discussion</p> <p data-bbox="248 329 504 365">Auditor Discussion:</p> <p data-bbox="248 371 1481 745">The agency’s policy subjects inmates to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Policy requires sanctions be commensurate with the nature and circumstances of the abuse committed, the inmate’s disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories. An inmate’s mental disability or mental illness is considered when determining what type of sanction, if any, is imposed. BCDF prohibits disciplining an inmate for sexual contact with a staff member if the staff member consented to the act.</p> <p data-bbox="248 797 1445 920">Facility staff is prohibited from disciplining an inmate who makes a report of sexual abuse in good faith and based on a reasonable belief the incident occurred, even if the investigation does not establish enough evidence to substantiate the allegation.</p> <p data-bbox="248 972 1477 1133">Sexual activity between inmates is prohibited in the Butler County Detention Facility. BCDF will discipline inmates for sexual conduct with staff only upon finding the staff member did not consent to such contact. BCDF will not discipline inmates for sexual activity the facility deems to constitute sexual abuse or if such activity is coerced.</p> <p data-bbox="248 1184 549 1220">Evidence Relied Upon:</p> <p data-bbox="248 1227 1417 1301">Policy – 116.18 – Sanctions for Individuals Found to have Participated in Sexual Abuse or Sexual Harassment pg. 1-2</p> <p data-bbox="248 1308 512 1344">Interview with Detective</p> <p data-bbox="248 1350 735 1431">Interviews with Medical Professionals</p> <p data-bbox="248 1438 557 1473">Interviews with Inmates</p> <p data-bbox="248 1525 517 1561">Analysis/Reasoning:</p> <p data-bbox="248 1568 1469 1776">The facility reported no incidents in which an inmate had been disciplined for filing a report of sexual abuse or sexual harassment. The Auditor conducted formal interviews with staff. The Auditor asked each if they were aware of an inmate receiving disciplinary charges for filing an allegation of sexual abuse or sexual harassment. No staff member was aware of an inmate receiving charges for such.</p> <p data-bbox="248 1827 1485 2074">The Auditor conducted a formal interview with the facility Detective. The Detective was asked if he has ever disciplined an inmate for filing an allegation of sexual abuse. The Detective informed the Auditor he has not placed disciplinary charges on an inmate who filed a report of sexual abuse or sexual harassment. The Auditor discovered no evidence which reveals an inmate received a disciplinary charge for making an allegation of sexual abuse or sexual harassment.</p> <p data-bbox="248 2125 1469 2161">The Auditor conducted formal interviews with medical practitioners. The Auditor was informed</p>

medical personnel offer counseling, therapy and other interventions to address and correct underlying reasons or motivations for committing acts of sexual abuse. The Auditor was informed an inmate's participation or non-participation in such interventions do not hinder the inmate's ability to attend programming or other benefits. Mental Health Practitioners attempt to determine underlying reasons inmates commit acts of sexual abuse. Efforts are made if the inmate is willing to participate.

The Auditor interviewed three inmates who submitted allegations of sexual abuse or sexual harassment to facility staff. None of the allegations were founded by the Detective. The Auditor asked each inmate if he/she had been disciplined for making the allegation. None of the three inmates reported they had been disciplined for making the allegation.

Conclusion:

The Auditor discovered the facility maintains policies which align with PREA standard 115.78 Discipline Sanctions for Inmates. Facility personnel ensure the policy is applied when choosing whether to discipline an inmate for reporting or participating in an act of sexual abuse. The Auditor reviewed the facility's policies and procedures, interviewed staff, medical practitioners and inmates and determined the facility meets the requirements of this standard.

115.81	Medical and mental health screenings; history of sexual abuse
	<p data-bbox="252 168 901 201">Auditor Overall Determination: Meets Standard</p> <p data-bbox="252 246 526 280">Auditor Discussion</p> <p data-bbox="252 324 502 358">Auditor Discussion:</p> <p data-bbox="252 369 1452 526">The Butler County Detention Facility policy requires if the booking intake screening indicates that an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will ensure the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.</p> <p data-bbox="252 582 1484 873">Policy stipulates information related to sexual victimization or abusiveness that occurred in an institutional setting be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments. Policy requires medical and mental health practitioners to obtain informed consent from inmates before reporting information about prior victimization that did not occur in an institutional setting, unless the inmate is under the age of 18.</p> <p data-bbox="252 929 550 963">Evidence Relied Upon:</p> <p data-bbox="252 974 1420 1041">Policy – 116.6 – Screening of Inmates and Use of Information Obtained to inform Housing Assignments pg. 2</p> <p data-bbox="252 1052 606 1086">PREA Medical Assessment</p> <p data-bbox="252 1097 654 1131">Medical PREA Screening Form</p> <p data-bbox="252 1142 566 1176">Informed Consent Form</p> <p data-bbox="252 1187 734 1220">Interviews with Medical Professionals</p> <p data-bbox="252 1232 558 1265">Interviews with Inmates</p> <p data-bbox="252 1310 518 1344">Analysis/Reasoning:</p> <p data-bbox="252 1355 1476 1556">The Auditor selected 20 inmates for interviews, some were specifically targeted by the Auditor while others were randomly selected. The Auditor asked to see the records of all 20 inmates. Of the records reviewed 2 reported previously suffering sexual abuse. The Auditor reviewed the records of the 2 who previously suffered sexual victimization. A review of both records revealed the inmates were offered a follow-up meeting with a mental health counselor.</p> <p data-bbox="252 1612 1444 1859">The Auditor conducted formal interviews with medical practitioners. Medical practitioners stated mental health staff meets with inmates who request a meeting, are referred, or who accepts a 14-day follow-up after informing of previous victimization. Medical practitioners informed the Auditor the mental health professional is in the facility one time each week for 6 hours. During this time the mental health professional meets with inmates. The Auditor was informed the mental health professional meets with inmates within 14 days.</p> <p data-bbox="252 1915 1476 2150">The Auditor asked medical practitioners who they share information relating to sexual victimization or abusiveness that occurred in an institutional setting with. Medical practitioners stated they inform security supervisory staff. Medical and mental health professionals are the only persons with access to medical records. The Auditor asked medical professionals if they share information related to sexual victimization that occurred in a community setting. The Auditor was informed they do not share that information with anyone. The Auditor asked what</p>

medical staff would do if they needed to share the information. Medical staff stated they would obtain written informed consent from the inmate prior to sharing the information.

The Auditor conducted formal interviews with inmates who reported an allegation of sexual abuse while at the facility. The Auditor asked if a follow-up meeting with a medical or mental health practitioner was offered. None of the inmates were offered a follow up as none of the allegations were substantiated. The Auditor did speak to inmates who reported suffering sexual abuse in a community setting. Each inmate informed the Auditor they were offered a follow up with a mental health practitioner. The Auditor asked each how long it took before the meeting occurred. Those who accepted the follow up meeting informed the Auditor the meeting occurred within a couple days.

The Auditor reviewed the mental health record of one inmate who reported sexual abuse that occurred at another correctional institution. The record revealed the inmate was offered a follow up meeting with the mental health counselor after reporting the allegation. The inmate met with the mental health counselor two days after making the notification to staff. The Auditor interviewed one inmate who alleged suffering sexual abuse while in the community. The inmate stated she was offered a follow-up meeting with the mental health professional. When the Auditor asked how quickly the mental health professional met with her, she informed it was within a couple days.

Classification staff notify medical personnel when an inmate answers yes to previous sexual victimization questions during the booking process. If an inmate informs medical personnel they have experienced sexual victimization the inmate is automatically placed on a list for a meeting with the mental health counselor. The automatic notification is completed electronically in the facility management system.

Conclusion:

The Auditor concluded BCDF inmates are offered a follow-up with a medical or mental health counselor after reporting they have suffered sexual victimization. Medical and mental health practitioners inform only those with a “need to know” of information related to sexual victimization or abusiveness. The Auditor reviewed the agency’s policies and procedures, inmate records, and conducted interviews with medical practitioners and inmates. After a thorough review the Auditor concluded the facility meets the requirements of this standard.

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>It is the policy of the Butler County Detention Facility to ensure inmate victims of sexual abuse receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The nature and scope of treatment and services are determined by the medical and mental health practitioners according to their professional judgement. The facility offers victims of sexual abuse timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, post-incident treatment to reduce the risk of sexually transmitted diseases or pregnancy, in accordance with professionally accepted standards of care, where medically appropriate.</p> <p>Policy requires security staff members to take preliminary steps to protect a victim when no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made. BCDF staff is required to immediately notify the appropriate medical and mental health practitioners. The facility does maintain 24-hour medical coverage.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.14 – Medical and Mental Health Services pg. 1 Sexual Abuse Response Checklist Investigative Records Interviews with Medical professionals Interview with Sexual Assault Nurse Examiner Interviews with First Responders</p> <p>Analysis/Reasoning:</p> <p>The Auditor conducted formal interviews with medical practitioners. Medical practitioners were asked if they feel medical services provided at the Butler County Detention Facility are consistent with a community level of care. Each medical practitioner interviewed stated they feel services are consistent with a community level of care. The Auditor asked if there is ever a time when no medical practitioner is on duty. The Auditor was informed there was never a time because the facility provides 24-hour coverage at the BCDF.</p> <p>The Auditor was informed inmates at the BCDF receive timely, unimpeded access to emergency medical treatment and crisis intervention services. The Auditor asked medical personnel if they offer timely information and access to sexually transmitted infection prophylaxis to inmates who suffer sexual abuse while incarcerated. The Auditor was informed the information and access is offered to sexual abuse victims. The Auditor was informed information and access to sexually transmitted infection prophylaxis is offered during the forensic examination and by medical practitioners when appropriate. Medical staff will offer access to sexually transmitted infection prophylaxis if a victim refuses to undergo a forensic examination. Female inmates are offered emergency contraception during the forensic examination.</p> <p>There have been no allegations in the previous 12 months requiring an inmate to be</p>

transported for forensic evidence collection by a SANE. There have been no allegations in the previous 12 months requiring immediate medical attention as a result of sexual abuse. The Auditor reviewed the investigative records of two sexual abuse incidents. One was reported by third-party and the inmate refused to cooperate with the investigator. The allegation did not require the inmate to be sent for forensic evidence collection or for immediate medical attention. The other allegation was a staff on inmate sexual abuse in which the Detective determined there was no physical contact between the inmate and staff member.

The Auditor reviewed the facility's Sexual Abuse Response Checklist. The checklist requires the shift supervisor document the date and time the inmate victim of sexual abuse was sent to the medical section for immediate medical treatment following an incident. The Auditor asked random staff what actions they take if there is no medical practitioner on site. They informed the Auditor they would provide first aid treatment until medical care arrived. The shift supervisor stated 911 would be called in the event no medical practitioner was on duty. Shift supervisors stated they would immediately notify medical following an incident in which an inmate was injured.

The Auditor interviewed staff who would potentially perform the duties of first responder to incidents of sexual abuse. Each staff member stated they immediately separate the victim from the abuser and contact their supervisor. Supervisors interviewed by the Auditor stated they immediately escort the victim to the medical area for treatment. The Auditor asked first responders what they would do if a supervisor did not report to the area. They stated they would ensure the victim was immediately sent to medical for treatment. Officers are trained in CPR and first aid to render immediate life-saving assistance.

The Auditor reviewed the training records of security staff. All security staff has received training in CPR and first aid in the event first responder treatment is needed. Formal interviews were conducted with randomly chosen security staff. The Auditor was informed officers take immediate steps to ensure victims are protected and receive emergency medical care in the event needed. Officers informed the Auditor they immediately notify a supervisor and medical staff following an incident of sexual abuse.

The Auditor asked medical personnel and officers if inmate victims of sexual abuse are charged a fee for treatment services related to sexual abuse. The Auditor was informed all services related to sexual abuse treatment are free to inmate victims of sexual abuse. Interviews with inmates reveal they are aware services related to sexual abuse victimization are offered at no cost to the inmate victim. The facility reported no incident in which an inmate underwent a forensic examination in the past 12 months.

The Auditor conducted an interview with the Sexual Assault Nurse Examiner. The SANE informed the Auditor inmate victims are offered timely access to sexually transmitted infections prophylaxis. The Auditor asked if the inmate victim is billed for such services. The SANE does not directly bill the inmate victim for services related to sexual victimization. Forensic examinations take place at the hospital. The SANE stated she offers sexually transmitted infection prophylaxis at the time of the examination. The SANE stated she allows a victim advocate to attend the examination at the victim's request.

Conclusion:

The facility provides timely and unimpeded access to emergency medical services. Medical practitioners provide inmate victims with sexually transmitted infection prophylaxis and emergency contraception. The Auditor reviewed the facility's policies and procedures, investigative records, Sexual Abuse Response Checklist and interviewed staff and medical practitioners and determined the facility meets the requirements of this standard.

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The BCDF policy is to offer medical and mental health evaluations and treatment services, as appropriate, to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. Policy stipulates, as appropriate, the evaluations and treatments include the following:</p> <ul style="list-style-type: none"> • Follow-up services; • Treatment plans; and • Referrals for continued care following transfer to, or placement in, other facility, or their release from custody. <p>The BCDF policy mandates pregnancy tests for sexually abusive vaginal penetration, timely and comprehensive information about and timely access to all lawful pregnancy-related services, such as prenatal care and access to pregnancy termination services. Policy stipulates inmate victims of sexual abuse while incarcerated will be offered tests for sexually infections, as medically appropriate. The policy requires medical and mental health services be provided consistent with a community level of care.</p> <p>All medical and mental health treatment services are provided to inmate victims of sexual abuse without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.</p> <p>Evidence Relied Upon: Policy – 116.14 – Medical and Mental Health Services pg. 1-2 Sexual Abuse Response Checklist Interviews with Medical Practitioners Interviews with Inmates Review of Inmate Records</p> <p>Analysis/Reasoning: The facility’s Sexual Abuse Response Checklist requires the agency Detective to escort the victim to medical for a medical/mental health evaluation. The checklist also requires the shift supervisor to ensure the victim is evaluated by medical/mental health after conclusion of medical treatment.</p> <p>The Auditor conducted formal interviews with medical practitioners. Medical practitioners do not stipulate a minimum or maximum amount of time they meet with victims and abusers. The Auditor was informed mental health personnel meet with victims and abusers when medically necessary. The Auditor asked what services are provided to inmate victims of sexual abuse. Mental health personnel conduct counseling sessions, make referrals to the psychiatrist or psychologists if needed, perform treatments, follow-up services, and referrals for continued care when needed. The Auditor asked if medical and mental health practitioners develop and follow treatment plans for inmate victims of sexual abuse. The Auditor was informed treatment plans are created and followed. Medical personnel stated they do offer tests for sexually</p>

transmitted infections if not done so by the SANE during the forensic examination.

The Auditor asked each medical practitioner if they feel their services are consistent with a community level of care. The Auditor was informed services are consistent with a community level of care. The Auditor was informed some inmates receive access to medical and mental health services more quickly than they would have if in the community. Medical personnel informed inmates are offered testing for sexually transmitted infections following a sexual abuse incident. The BCDF medical practitioners do not offer the morning after pill at the facility. Those medications are offered at the forensic examination. The facility offers pregnancy tests when appropriate. The Auditor was informed by medical practitioners that inmates are not charged a fee for services related to sexual abuse victimization. The Auditor asked if mental health personnel meet with abusers to determine the underlying cause for their actions. The Auditor was informed they do attempt to meet with the abusers but cannot force them to participate if they deny.

The Auditor conducted a formal interview with one inmate who reported suffering sexual abuse in a community setting. The Auditor asked if she was offered mental health services after reporting the victimization. The inmate was offered mental health services following the notification. A review of the inmate's record revealed she was offered a meeting with a mental health professional. The inmate received on going mental health services following her notification and initial meeting with the mental health counselor.

The Auditor conducted an interview with one inmate who alleged sexual abuse while at the facility. The incident did not require immediate medical treatment as a result of the alleged incident. The facility has not had a substantiated incident of sexual abuse during this audit period. The inmate was offered a meeting with the mental health counselor and declined such.

There was no inmate at the facility who was charged a fee for services related to sexual abuse treatment or services.

Conclusion:

The facility's medical and mental health practitioners offer counseling, treatment, sexually transmitted infections testing and make referrals for continued care, when appropriate. The services provided to inmate victims are consistent with a community level of care. The Auditor reviewed the facility's policies and procedures, inmate records and interviewed medical practitioners and inmates and determined the facility meets the requirements of this standard.

115.86	Sexual abuse incident reviews
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Auditor Discussion:</p> <p>The Butler County Detention Facility policy is to conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, unless the allegation was determined unfounded. The incident review is required to be conducted within 30 days and the report submitted to the PREA Coordinator and facility head. The BCDF policy requires the review team consist of upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners.</p> <p>Facility policy requires the review team conduct the following tasks:</p> <ul style="list-style-type: none"> • Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; • Consider whether the incident or allegation was motivated by race, ethnicity, gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility; • Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse; • Asses the adequacy of staffing levels in that area during different shifts; • Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff; and • Prepare a report of its findings, including determinations made pursuant to this section [of policy], and any recommendations for improvement and submit the report to the facility head and the agency PREA Coordinator. <p>Evidence Relied Upon:</p> <p>Policy – 116.19 – Sexual Abuse Incident Reviews pg. 1 PREA Incident Review Investigation Files Sexual Abuse Incident Review Interview with Incident Review Team Member</p> <p>Analysis/Reasoning:</p> <p>The Auditor reviewed 6 investigative records. Of the investigative records reviewed, all had been completed by the Detective. The Auditor observed 3 Incident Reviews. Two of the investigations were determined unsubstantiated and the other Incident Review was conducted after an unfounded determination. The facility was not required to conduct an Incident Review after the other three cases as they were each unfounded.</p> <p>A review of the Sexual Abuse Incident Review form completed by the review team revealed the team conducted the review in accordance with the facility’s policy. The facility’s policy does include the elements of this standard for the team to consider when conducting its incident review. The Auditor observed each Incident Review was conducted within 30 days after the conclusion of the investigation. The PREA Coordinator and facility head were present during</p>

each Incident Review.

The Auditor conducted a formal interview with an Incident Review Team member. The team member informed the Auditor the team is required to review each alleged incident to identify problems and address concerns to improve the overall prevention, detection, and response efforts of the facility. The team member informed the Auditor they review the area of the incident, discuss the need for policy changes, review the staffing level, and the deployment of monitoring technologies. The Auditor asked the team member if the team considers whether the incident was motivated by race, ethnicity, gender identity, lesbian, gay, bisexual, transgender, or intersex identification, status, perceived status, gang affiliation, or other group dynamics. The Auditor was informed the team does such.

Conclusion:

The Auditor determined the facility is prepared to conduct incident reviews within 30 days of the conclusion of each substantiated and unsubstantiated sexual abuse investigation. The Incident Review Team understands the requirement to document the performance of each incident review. The Auditor reviewed the facility's policies and procedures, Incident Review Report, and conducted an interview with an Incident Review Team Member and determined the facility meets the requirements of this standard.

The Auditor made a recommendation to the facility to include a signature line on its incident review form for each person in attendance, including for those who provide input.

115.87	Data collection
	<p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Auditor Discussion: BCDF policy requires staff collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions. Policy requires the data be aggregated annually and include at least minimal information to be able to complete the U. S. Department of Justice’s, Survey of Sexual Violence. The PREA Coordinator is responsible for compiling data utilizing incident-based documents, including reports, investigative files, and sexual abuse incident reviews. The data is compiled using a standardized instrument and set of definitions. Policy requires the BCDF submit the Survey of Sexual Violence by June 30 to the Department of Justice.</p> <p>Evidence Relied Upon: Policy – 116.23 – Data Collection and Review for Corrective Action pg. 1 Policy – 116.1 – Zero Tolerance Policy/PREA Coordinator pg. 1-3 Annual Report Agency Website Interview with Staff</p> <p>Analysis/Reasoning: The Auditor reviewed the facility’s 2014 through 2018 Annual Reports published on the Butler County website. The reports were easily accessible as the agency’s website was simple to navigate. The data collected included definitions of the following:</p> <ul style="list-style-type: none"> • Nonconsensual Sexual Acts • Abusive Sexual Contact • Sexual harassment by Another Inmate • Staff Sexual Misconduct • Staff Sexual Harassment <p>Data reviewed by the Auditor for each report was aggregated from January 1st to December 31st and the public has access to the agency’s reports through its website.</p> <p>The Auditor reviewed the Bureau of Justice’s Survey of Sexual Violence submitted by the agency in 2014. The report was completed and submitted to the U. S. Department of Justice by a facility Captain. The Captain submitted the survey before June 30th of the report year. The agency has not been asked to submit the Survey of Sexual Violence since 2014.</p> <p>The Auditor conducted a formal interview with the PREA Coordinator. The PREA Coordinator compiles the data for the facility annually. The PREA Coordinator completes an annual report of the collected data. All data is maintained in the PREA Coordinator’s office in a locked drawer. The Auditor reviewed the facility’s 2018 annual report. The report was completed by the PREA Coordinator and reviewed and approved by the Sheriff.</p> <p>Conclusion:</p>

The Auditor observed evidence the facility is collecting and aggregating sexual abuse data annually. The reported data utilizes a standardized set of definitions. The Auditor reviewed the facility's policies and procedures, annual report and website and determined the facility meets the requirements of this standard.

115.88	Data review for corrective action
	<p data-bbox="248 170 898 203">Auditor Overall Determination: Meets Standard</p> <p data-bbox="248 248 523 282">Auditor Discussion</p> <p data-bbox="248 327 504 360">Auditor Discussion:</p> <p data-bbox="248 371 1477 488">The Butler County Detention Facility policy requires a review of collected and aggregated data in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training. The data review is conducted to:</p> <ul data-bbox="248 544 1477 701" style="list-style-type: none"> • identify problem areas; • Take corrective action on an ongoing basis; and • Prepare an annual report of BCDF findings and corrective actions for each facility, as well as the agency as a whole. <p data-bbox="248 757 1018 790">Policy requires the data review report include the following:</p> <ul data-bbox="248 846 1297 1003" style="list-style-type: none"> • A comparison of the current year’s data and corrective actions with prior years; • Provide an assessment of BCDF’s progress in addressing sexual abuse; • Must be approved by the Sheriff; and • Must be readily available to the public through the website. <p data-bbox="248 1059 1477 1176">Policy allows BCDF to redact specific material from the report when publication would present a clear and specific threat to the safety and security of a facility. Any redactions must be documented in the report to indicate the nature of the material redacted.</p> <p data-bbox="248 1232 552 1265">Evidence Relied Upon:</p> <p data-bbox="248 1276 1222 1310">Policy – 116.23 – Data Collection and Review for Corrective Action pg. 1-2</p> <p data-bbox="248 1321 528 1355">PREA Annual Report</p> <p data-bbox="248 1366 464 1400">Agency Website</p> <p data-bbox="248 1411 480 1444">2014 BJS Survey</p> <p data-bbox="248 1456 499 1489">Interview with Staff</p> <p data-bbox="248 1545 520 1579">Analysis/Reasoning:</p> <p data-bbox="248 1590 1477 1818">The Auditor reviewed the BCDF website. The agency maintains annual reports which include its findings and corrective actions for the Butler County Detention Facility. Each report is accessible through the agency website by accessing the “Detention Facility PREA Information” link. Each report is hyperlinked by year. The reports published on the facility’s website include data collected and compared from 2014 through 2018. The facility’s 2019 report has not yet been published.</p> <p data-bbox="248 1874 1477 2157">A review of each PREA Annual Report reveals the agency attempts to discover problem areas within the facility based on a review of data collected by the Detective and PREA Coordinator. The agency’s annual report includes corrective actions taken in the facility. The 2018 annual report found no corrective actions needed in the Butler County Detention Facility. The 2018 annual report includes language regarding an updated staffing plan and includes planning for 6 additional cameras. The report also reveals the facility’s training was updated in an effort to improve the prevention, detection and response efforts.</p>

The Auditor discussed the annual reporting process with the PREA Coordinator. The information for the annual report is derived from investigative reports and reports from the Incident Review Team. Corrective actions are enacted throughout the year when needed as the Incident Review Team recommends corrective actions when warranted. Any corrective actions taken will be documented in the annual report. When problem areas are discovered, facility staff recommends a solution to address the problem area and include the specifics in the annual report.

The Butler County Sheriff approves the agency's annual report prior to publishing on the agency's website. The Sheriff, along with the PREA Coordinator, signs the last page of the annual report. The annual report states "Personal identifiers and specific details related to the complaint were redacted in order to protect the confidentiality of the individual as well as the safety and security of the facility."

Conclusion:

The Auditor concluded the agency completes an annual review of collected and aggregated sexual abuse data. The annual report addresses problem areas and corrective actions taken and is approved by the Sheriff prior to publishing on the agency's website. The Auditor reviewed the agency's policies and procedures, website, PREA Annual Report and interviewed staff to determine the agency meets the requirements of this standard.

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The facility’s policy requires sexual abuse data is securely retained. Policy requires all aggregated sexual abuse data be readily available to the public at least annually on its website. Policy stipulates personal identifiers will be removed. The BCDF requires sexual abuse data is maintained for at least 10 years after the date of initial collection, unless Federal, State, or local law requires otherwise.</p> <p>Evidence Relied Upon:</p> <p>Policy – 116.23 – Data Collection and Review for Corrective Action pg. 3 Agency Website Annual Report Interview with Staff Observations</p> <p>Analysis/Reasoning:</p> <p>The Auditor conducted a formal interview with the PREA Coordinator. Information for the facility’s annual report is maintained by the PREA Coordinator in her locked office in a locked drawer. The facility Detective maintains data in his locked office in a locked drawer and on a computer protected with a username and password. The PREA Coordinator stated she maintains collected data for a minimum of 10 years after the data is collected.</p> <p>The Auditor reviewed the agency’s website. The website included annual sexual abuse data collection in an annual report published on the website. Data published on the agency website begins in the year 2014. The Auditor reviewed the sexual abuse data published on the website and found no personal identifiers within. The Auditor was informed sexual abuse and sexual harassment data is maintained for a minimum of 10 years after collection.</p> <p>Conclusion:</p> <p>The Auditor reviewed the agency’s website, collected data, made observations, and interviewed staff and determined the facility meets the requirements of this standard.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion:</p> <p>The Butler County Sheriff's Office operates one facility. The agency has ensured its facility was audited during the first 3-year audit cycle. The facility had its first PREA audit in August 2016.</p> <p>Evidence Relied Upon:</p> <p>Previous PREA Audit Report Facility Tour Interactions with Staff</p> <p>Analysis/Reasoning:</p> <p>The Butler County Detention Facility operates one facility. The BCDF had its facility audited once during the last audit cycle. This audit was conducted during the second audit cycle. The agency did not audit the Butler County Detention Facility in the first year of this audit cycle. This audit occurred in the third year of the cycle.</p> <p>The Auditor was provided and reviewed all relevant agency policies, procedures, documents, reports, internal and external audits to assist with rendering a decision on the facility's level of compliance with relevant standards. Of the documents the Auditor reviewed a relevant sampling of the previous 12-month period. The facility provided the Auditor with a detailed tour of the facility in its entirety.</p> <p>During the audit the Auditor requested and was provided copies of additional documents to aid in a determination of the facility's level of compliance. The Auditor conducted formal and informal interviews of staff and inmates as previously listed in this report. The facility provided a private office for the Auditor to conduct formal interviews. A random selection of video footage was selected by the Auditor to review. Inmates were provided the opportunity to correspond with the Auditor prior to and after arriving on site.</p> <p>The Auditor reviewed the Butler County Detention Facility's previous PREA audit report and observed the facility was found compliant with all standards. The previous Auditor was allowed access to all facility areas, interview staff and inmates, was provided with facility documents and inmates could communicate confidentially with the Auditor through written correspondence during that audit.</p> <p>The Auditor communicated with the SANE and community-based victim advocates regarding relevant conditions in the facility during the audit process.</p> <p>On July 2, 2019 the Auditor sent a letter to be posted in all inmate living areas which included the Auditor's address. The Auditor sent an English and Spanish version of the notice. The Auditor received two correspondences from inmates prior to arriving on site for the audit. The Auditor was able to interview one of those inmates. The other had been released before the Auditor arrived at the facility. The Auditor observed confidential correspondence notices</p>

posted in each inmate living unit. These notices were emailed to the PREA Coordinator to post in each living unit prior to the audit. The notices to inmates were posted more than 6 weeks in advance of the Auditor arriving on site.

The Department of Justice did not send a recommendation to the Butler County Detention Facility for an expedited audit of the facility or referral to resources for assistance during this audit cycle.

Conclusion:

The Auditor determined the Butler County Detention Facility meets the requirements of this standard.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Auditor Discussion: The agency has published the previous PREA Audit report of the Butler County Detention Facility on its website.</p> <p>Evidence Relied Upon: Agency Website Previous PREA Audit Report</p> <p>Analysis/Reasoning: The Auditor reviewed the agency's website which includes a link for its previous PREA Audit report.</p> <p>Conclusion: The Auditor determined the agency meets the requirements of this standard.</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.)	na

115.12 (b)	Contracting with other entities for the confinement of inmates	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure 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.)	na

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.)	yes

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

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

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

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

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

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

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

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

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

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.)	no
	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.)	na

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

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

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

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

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

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

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

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

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

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

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

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

115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	no

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?	no

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?	no
	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.)	no
	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?	no

115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes

115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	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.)	yes
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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?	no

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.)	na

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

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

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

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

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

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

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

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

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

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

115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	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.)	no

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.)	yes