

PREA Facility Audit Report: Final

Name of Facility: Walsh County Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: 06/05/2021

Date Final Report Submitted: 12/02/2021

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input checked="" type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input checked="" type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input checked="" type="checkbox"/>
Auditor Full Name as Signed: Candace L	Date of Signature: 12/02/2021

AUDITOR INFORMATION	
Auditor name:	Snyder, Candy
Email:	Snyder@gwtc.net
Start Date of On-Site Audit:	04/19/2021
End Date of On-Site Audit:	04/20/2021

FACILITY INFORMATION	
Facility name:	Walsh County Jail
Facility physical address:	638 Cooper Avenue, Grafton, North Dakota - 58237
Facility Phone:	
Facility mailing address:	638 Cooper Ave, Grafton, North Dakota - 58237

Primary Contact	
Name:	Adam Trahan
Email Address:	atrahan@nd.gov
Telephone Number:	7013525013

Warden/Jail Administrator/Sheriff/Director	
Name:	Ron Jurgens
Email Address:	rjurgens@nd.gov
Telephone Number:	7013522041

Facility PREA Compliance Manager	
Name:	Adam Trahan
Email Address:	atrahan@nd.gov
Telephone Number:	O: (701) 352-2041

Facility Health Service Administrator On-site	
Name:	Wanda Kratochvil
Email Address:	wkratoch@nd.gov
Telephone Number:	7013525139

Facility Characteristics	
Designed facility capacity:	16
Current population of facility:	11
Average daily population for the past 12 months:	13
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Males
Age range of population:	18-53
Facility security levels/inmate custody levels:	low, medium, high
Does the facility hold youthful inmates?	No
Number of staff currently employed at the facility who may have contact with inmates:	7
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	0
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	0

AGENCY INFORMATION	
Name of agency:	Walsh County Sheriff's Department
Governing authority or parent agency (if applicable):	Walsh County Board of Commissioners
Physical Address:	638 Cooper Ave #2, Grafton, North Dakota - 58237
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	Ron Jurgens	Email Address:	rjurgens@nd.gov

AUDIT FINDINGS

Narrative:

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

The audit of the Walsh County Jail in Grafton, North Dakota was conducted on April 19 and 20, 2021 by Candy Snyder, a Department of Justice Certified PREA auditor.

An entrance meeting was held with Sheriff Ron Jurgens and PREA Coordinator Adam Trahan. The auditor began with an entrance meeting describing the process over the next two days and gathered some basic information to prepare for her time on-site. The Sheriff and the PREA Coordinator provided the auditor with an overview of their facility. They then conducted a tour of the facility. Following the tour the auditor began interviewing specialized staff. Private accommodations were made for the auditor to conduct interviews. The auditor conducted four specialized interviews to include the chairman of the county commission, the sheriff, the PREA Coordinator, and the investigator. Some protocols such as incident review team member and monitoring for retaliation were used in addition while completing the above interviews. The PREA Coordinator provided a listing of all inmates. There were fourteen (14) inmates present at the jail during the on-site portion of the audit. The auditor interviewed thirteen (13) inmates. There was one inmate who did not wish to participate. There were no hearing/visually impaired inmates, no non-English speaking nor inmates who identified as lesbian, gay, transgender or intersex.

The auditor was provided a shift roster and interviewed all staff on all shifts during the on-site audit. The auditor was not limited in any way from speaking with staff or inmates or inspecting any area of the facility. All staff were extremely polite and accommodating throughout the audit. In addition, the auditor reviewed employment files and training files. There were no incidents to be investigated and therefore no investigative files to review.

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

AUDIT FINDINGS

Facility Characteristics:

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

The Walsh County Correctional Center is a grade 2 correctional facility under North Dakota codified law. The facility was constructed in 1975. The facility is co-located with the Sheriff's Department, North Dakota Bureau of Criminal Investigation Highway Patrol offices, a court room and various city and county offices within the Walsh County Law Enforcement building.

The facility intake area consists of a vehicle entrance garage, a laundry, the receiving hallway, the booking area, a recovery cell and a holding cell. The recovery and holding cells are also used as segregation, for suicide watch or for medical observation. A library and a visit area support services provided to inmates. The food is brought into the facility and a small prep/holding kitchen is used prior to service to the inmate housing areas. There is a duty office for the correctional officers in between rounds and where the cameras are monitored. Cameras are also monitored within the Walsh County Dispatch communications room.

There are four housing areas in addition to the booking cells. Unit A is comprised of two wet, single cells, a private shower room and a shared dayroom with a maximum occupancy of one inmate per cell for a total of two inmates. Unit B is comprised of two wet, single bunked cells, a private shower room and a shared dayroom with a maximum occupancy of one inmate per cell for a total of two inmates. Unit C is comprised of two wet, single bunked cells, a private shower room and a shared dayroom with a maximum occupancy of one inmate per cell for a total of two inmates. The Ward is a dormitory style unit with ten beds and a shower/toilet room. There is dayroom space at the front end of this living unit. The Ward has a maximum occupancy of 10 inmates. The design of the jail allows for all inmates to have adequate privacy for showering, toileting and changing their clothing with the exception of the toilet area in the Ward dormitory.

There are 24 cameras throughout the facility. There are cameras within the individual cells and within the recovery and holding cells in the booking area. There are no cameras that can view a shower or toilet area as those areas are digitally altered with a black box over the toilets and the showers are individual stalls with a shower curtain. There is also an intercom system that the duty correctional officers monitor and the inmate can call for assistance. All inmates eat meals within the day room of their unit.

The inmates are housed based upon needs and their respective level of classification. All inmates are supervised by well-trained Corrections Officers.

AUDIT FINDINGS

Summary of Audit Findings:

The OAS will automatically calculate the number of standards exceeded, number of standards met, and the number of standards not met based on the auditor's compliance determinations. If relevant, the auditor should provide the list of standards exceeded and/or the list of standards not met (e.g. Standards Exceeded: 115.xx, 115.xx..., Standards Not Met: 115.yy, 115.yy). Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

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

The Walsh County Jail has had jail staff turnover with a new PREA Coordinator beginning employment in April 2020. Although the facility had been found compliant after completion of their 2018 PREA audit, the staff have been unable to locate some of the files maintained by the previous PREA Coordinator. This auditor was able to ascertain through interviews with inmates and staff that the procedures were continuing, although some standards were not able to be verified through documentation if it went back for more than one year before this audit.

The auditor worked with the facility during a six month corrective action period on 16 corrective actions as outlined below.

Standard 115.12 Contracting with other entities for the confinement of inmates.

CORRECTIVE ACTION: The auditor required a renewed contract or a contract addendum with the Grand Forks County Correctional Center with an added PREA clause that states the Grand Forks County Correctional Center will comply with the PREA standards and allows the Walsh County Jail to monitor their facility to ensure that they are complying with the PREA standards. On June 2, 2021, the Sheriff provided an updated MOU with Grand Forks County Correctional Facility that included a PREA clause.

Standard 115.13 Supervision and monitoring

CORRECTIVE ACTION: The auditor required documented evidence of an annual assessment to determine whether adjustments are needed to the management of the jail in relation to staffing levels, assignments, and monitoring technology. The policy outlines very well what the facility needs to do each year regarding the annual staffing plan analysis, but the auditor was not provided documented evidence that this discussion occurred. On December 2, 2021, the Chief Corrections Officer provided the documentation of the annual discussion regarding their staffing levels and monitoring technology.

Standard 115.15 Limits to cross gender viewing and searches

CORRECTIVE ACTION: The auditor required an alternate plan for the strip search area that provides for more privacy to conduct this unclothed search. Booking area unclothed searches are done one-on-one between a correctional officer and an inmate. The search was conducted with the inmate standing in the recovery cell in the booking area with the door open and the correctional officer standing in the booking hallway outside of the doorway. This is a small area and there is no traffic in this area so that there is privacy during this process. The inmate was directed to stand near the toilet which is blacked out on the camera view. This blacked out area does not completely cover an inmate standing, unclothed during the strip search. Staff suggested during the audit that they will move this search to the laundry room adjacent to the garage. In the laundry room the inmate can stand in this room off-camera while the officer can stand in the just outside of the doorway in the garage and be on camera during the entire search. Again, there is no traffic in this area during the search. On May 23, 2021, the Chief Corrections Officer provided the auditor photographic evidence of the laundry area and how they altered this area with a privacy curtain and a yellow outlined box on the floor for the search area. This area allows for privacy for the inmate but still allows the corrections officer to be on camera to ensure the safety of both the officer and the inmate.

The auditor required a modification to the restroom of the Ward housing unit so that the two toilets cannot be viewed upon entry into this housing area. Suggested modifications include a corrections-grade security curtain that provides privacy of a small section, but allows the correctional officer to view the head and feet, but not the middle area; a narrowing of the entrance to the restroom with a brick half-wall that restricts only the view of an inmate seated on the toilets, but still allows view into the restroom for security purposes; or a wider, stainless steel partition coming from the wall on each side of the two toilets. On July 1, 2021, the Chief Corrections Officer provided the auditor photographic evidence that a curtain was installed to the entrance of the restroom. The curtain is positioned so that you can still see feet within the restroom, but the remaining area of the toilets are blocked by the curtain. This ensures that inmates using the toilets in this area

cannot be seen when an officer walks into the Ward housing unit.

Standard 115.16 Inmates with disabilities and inmates who are limited English proficient

CORRECTIVE ACTION: To comply with this standard, the auditor required the facility provide documented evidence of an interpretive service such as a contract or instructions with account number assigned. In addition, the auditor required this information be readily available for staff future reference on how to access an interpretive service for all languages including sign-language. The policy states they use the Language Link. However, staff provided different varying answers such as a number they call for a contracted interpreter service, the use of the county's translator list, staff who speak Spanish and the Border Patrol agent. On December 1, 2021, the Chief Corrections Officer provided their contract information from Language Link and that they posted this information near the booking desk and instructions on how to use the link.

Standard 115.17 Hiring and promotion decisions

CORRECTIVE ACTION: To comply with this standard the auditor required that the facility provide documentation for asking questions during the hiring and promotion process regarding previous sexual misconduct. They must also provide to the auditor acknowledgement forms of employees continuing duty to report any sexual misconduct. Both the sexual misconduct questions and the continuing duty to report question must be asked again of each employee during their annual review process or upon promotion. Documentation of this must be provided to the auditor for each employee currently employed at the Walsh County Jail in order to obtain compliance with this standard. The auditor required documentation of reference checks with previous institutional employers regarding any substantiated allegations of sexual abuse. On May 27, 2021, the Chief Corrections Officer provided completed forms titled "Sexual Misconduct Questionnaire for Previous Institutional Employers" that had been completed for two recent new hires who had previous institutional employers. On July 5, 2021, the Chief Corrections Officer provided signed employee "PREA Questionnaire for Yearly Evaluation" forms for all existing employees.

The auditor recommended a PREA section added to their New Employee Checklist that includes that these processes were completed (the three sexual misconduct questions, continuing duty to report and a reference check with previous institutional employers regarding substantiated sexual abuse).

Standard 115.22 Policies to ensure referrals of allegations for investigations

CORRECTIVE ACTION: To meet this standard the auditor required that the jail more clearly define the investigator roles in its PREA policy investigations section to state when a potential criminal investigation would be investigated by the Sheriff's office and when it would be investigated by BCI. The policy supplied on the agency website must be identical to the policy supplied to the auditor. On December 1, 2021, the Chief Corrections Officer emailed and verified that the correct policy is, C-270 Prison Rape Elimination Act. This policy is also available on the Walsh County website. This policy states that the Walsh County lead investigator will ensure criminal allegations of sexual abuse or sexual harassment are referred to the Bureau of Criminal Investigation unless the allegation does not involve potentially criminal behavior.

Standard 115.31 Employee training

CORRECTIVE ACTION: To comply with this standard, the auditor required training certificates for employee training or a signed verification of training on the 10 basic required components in the training standard. The auditor suggested that a form be used stating the specific requirements lettered (1) through (10) in Standard 115.31 on a training acknowledgment form that is signed and that any future training offered have a brief summary of the type of training, the curriculum used and verified by signature with a statement acknowledging understanding. On July 6, 2021, the Chief Corrections Officer provided updated training documentation for all staff.

Standard 115.32 Volunteer and contractor training

CORRECTIVE ACTION: The auditor required that the facility provide the form used to document the basic PREA training given to volunteers that provide services to inmates within the jail to include the facility's zero tolerance policy on sexual abuse and sexual harassment and that it is mandatory that they report and knowledge of sexual abuse or sexual harassment that occurred within the facility to the administrators. If any volunteers are utilized during the corrective action period, their specific signed and dated training forms must be submitted to the auditor. On July 8, 2021, the Chief Corrections Officer provided their training documentation form. There were no volunteers used during the corrective action period.

Standard 115.33 Inmate education.

CORRECTIVE ACTION: The auditor required that the facility provide a dated signature sheet of the initial training given to each inmate during the intake process that documents they have received information explaining the Walsh County Jail's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. In addition, the auditor required the facility provide verification they received more comprehensive education within 30 days of intake through the video. On December 1, 2021, the Chief Corrections Officer provided a dated signature sheet of the initial training given to each inmate during the intake process. He supplied a statement that the more comprehensive information is given in a PREA video on their texters and they have to watch it and accept that they have watched in order to use the texter. Texters are issued to the inmates a day after they come to jail.

Standard 115.41 Screening for risk of victimization and abusiveness.

CORRECTIVE ACTION: The auditor requires the Walsh County Jail provide follow-up screening notes for inmates housed for 30-days or more. These notes must be completed for all inmates housed at the facility during the on-site audit and for any additional inmates that are housed at the facility during the corrective action period. On July 6, 2021, the Chief Corrections Officer provided the 30-day screenings for current inmates up to that time. On December 1, 2021, the Chief Corrections Officer again provided the 30-day screenings for their current inmates.

Standard 115.51 Inmate reporting.

CORRECTIVE ACTION: The auditor required that the Walsh County Jail find a different way for inmates to report abuse or harassment to an external entity that is not part of their agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment back to the Sheriff. This external entity must allow the inmate to remain anonymous upon request. On May 4, 2021, the Chief Corrections Officer provided their updated procedure for inmates to report to an external entity. The Grafton Police Department has agreed to have their number posted and to receive calls from inmates and immediately forward these inmate reports of sexual abuse and sexual harassment to the Walsh County Jail officials, allowing the inmate to remain anonymous upon request.

Standard 115.52 Exhaustion of administrative remedies.

CORRECTIVE ACTION: The auditor required modifications to the Grievance Process document provided to inmates as there are several items that conflict with this standard as listed below.

- The Walsh County Jail Grievance Process states that the issue must personally affect the inmate filing the grievance. The standard requires that third parties, including fellow inmates, staff, family, attorneys and outside advocates can assist or file on behalf of an inmate. If filed on behalf of an inmate, the facility may require that the alleged victim agrees to have the request filed on their behalf. If the inmate declines to have the request processed on their behalf, the agency must document the inmate's decision.
- The Walsh County Jail Grievance Process states that the inmate is required to resolve the complaint informally. The standard requires that they not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse.
- The Walsh County Jail Grievance process states that they may obtain assistance from staff but does not list the other third parties that may assist. The standard requires that they are able to obtain assistance from third parties, including inmates, staff, family, attorneys and outside advocates.
- The Walsh County Jail Grievance Process requires that the grievance be submitted within two days of the alleged incident. The standard requires that there be no time limit on reporting a sexual abuse allegation.
- The Walsh County Jail Grievance Process does not state a time period in which to respond to emergency grievances. The standard requires that an emergency grievance be immediately forwarded to a level of review that can take immediate corrective action and that the jail must provide an initial response with 48 hours and a final decision within five calendar days. This initial response and final decision will document the determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.
- The Walsh County Jail Grievance Process does not specifically state that the inmate must be able to submit a grievance without submitting it to a member who is the subject of complaint and that the grievance not be referred to the staff member who is the subject of the complaint. It also does not specifically state that 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.

On July 8, 2021, the Chief Corrections Officer provided their revised grievance form which includes language at the very top of the form

that states there are exceptions to the grievance policy if the grievance is regarding sexual abuse. Those exceptions are printed on the back of the grievance form. This clears up any contradictions between the PREA policy and the grievance policy.

Standard 115.71 Criminal and administrative agency investigations.

CORRECTIVE ACTION: The auditor required the policy published on the facility website be clarified to reflect how the facility operates regarding assigning sexual assault investigators for potentially criminal sexual abuse allegations. The auditor was informed during interviews that most PREA investigations will be completed by an investigator from the Sheriff's Department. If the allegation is made against a staff member and appears to be criminal, it will be referred to the North Dakota Bureau of Criminal Investigation (BCI). The policy states in multiple locations, "If it is determined a crime has been committed the Lead Investigator shall request assistance from the Bureau of Criminal Investigations and work as a liaison with the investigative agency in the investigation." This states that all criminal investigations are conducted by BCI and that is not accurate. On December 1, 2021, the Chief Corrections Officer emailed and verified that the correct policy is, C-270 Prison Rape Elimination Act. This policy is also available on the Walsh County website. This policy states that the Walsh County lead investigator will ensure criminal allegations of sexual abuse or sexual harassment are referred to the Bureau of Criminal Investigation unless the allegation does not involve potentially criminal behavior.

Standard 115.87 Data collection

CORRECTIVE ACTION: To comply with this standard the auditor required the Walsh County Jail collect and provide incident-based and aggregated data from Grand Forks County Correctional Center. While the Walsh County Jail has had no incidents of its own in which to collect and aggregate over the past year, they are required by this standard to obtain incident-based and aggregated data from Grand Forks County Correctional Center with which it contracts for the confinement of its female inmates. On December 2, 2021, the auditor verified that a link to Grand Forks County Correctional Center's PREA information to include aggregate data has been posted on the Walsh County website at <https://www.co.walsh.nd.us/index.asp?SEC=B1750B87-A82F-41A2-8D42-CEDE68BE0EF7>

Standard 115.88 Data Review for Corrective Action

CORRECTIVE ACTION: To meet this standard, the auditor required that the Walsh County Jail assess their efforts for effectiveness by preparing their 2020 annual report and posting this annual report on their website. This report should include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of their progress in addressing sexual abuse. In the future, an annual report for each year will need to be published on their website. On December 1, 2021, the Chief Corrections Officer provided the 2020 Walsh County Jail Annual Report. This report included comparative data from 2016 through 2020. It is important to note that the Walsh County Jail has had no reported incidents of sexual abuse or sexual harassment during this time. On December 2, 2021, the auditor verified that a the Walsh County Jail 2020 Annual Report title "2020 PREA Statistical Report" has been posted on the Walsh County website at <https://www.co.walsh.nd.us/index.asp?SEC=B1750B87-A82F-41A2-8D42-CEDE68BE0EF7>.

Standard 115.89 Data storage, publication and destruction

CORRECTIVE ACTION: To comply with this standard the auditor required that aggregated sexual abuse data be made readily available to the public at least annually through its website for both the Walsh County Jail and the facility with which it contracts, the Grand Forks County Correctional Center. To catch up, this data should be published for at least the previous three years to include 2018, 2019 and 2020. On December 1, 2021, the Chief Corrections Officer provided the auditor with their annual report which included aggregated data from 2016 through 2020. On December 2, 2021, the auditor verified that the Walsh County Jail 2020 Annual Report titled "2020 PREA Statistical Report" which includes their aggregate data has been posted on the Walsh County website at <https://www.co.walsh.nd.us/index.asp?SEC=B1750B87-A82F-41A2-8D42-CEDE68BE0EF7>.

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
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 548">The Walsh County Jail has a thorough policy. The policy follows the guidelines of the PREA standards and they have appointed a PREA Coordinator who has been working to ensure that every standard is addressed. As the Chief Corrections Officer, he has the authority to develop and oversee the efforts of the facility to prevent, detect, and respond to sexual abuse and sexual harassment. The PREA Coordinator with the support of the Sheriff has been committed to maintaining PREA standards within the jail. The PREA Policy in its entirety is posted on their website. Their PREA policy is modeled after the North Dakota Department of Corrections and Rehabilitation (NDDOCR) policy. The auditor recommends that some areas of the policy be more tailored to the specifics of operations at the Walsh County Jail and some areas need corrections as outlined in the document the auditor provided to the facility.</p>

115.12	Contracting with other entities for the confinement of inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="231 190 1508 257">Auditor Discussion</p> <p data-bbox="231 257 1508 481">The Walsh County Jail contracts with Grand Forks County Correctional Center for confinement of their female inmates. The facility provided a copy of their contract, but it did not contain a paragraph requiring that Grand Forks County Correctional Center comply with all PREA standards and allows the Walsh County Jail to monitor their facility for compliance with the PREA standards. The Sheriff does monitor for compliance with the standard through review of the Grand Forks County Correctional Center's posted PREA Audit report, annual report, and aggregate data. The Sheriff also maintains regular contact with the Grand Forks County Correctional Center's administrator.</p> <p data-bbox="231 481 1508 674">CORRECTIVE ACTION: The auditor required a renewed contract or a contract addendum with the Grand Forks County Correctional Center with an added PREA clause that states the Grand Forks County Correctional Center will comply with the PREA standards and allows the Walsh County Jail to monitor their facility to ensure that they are complying with the PREA standards. On June 2, 2021, the Sheriff provided an updated MOU with Grand Forks County Correctional Facility that included a PREA clause.</p>

115.13	Supervision and monitoring
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 506">The auditor reviewed the Walsh County Jail policy, the organization structure, verified the staffing levels through the schedule that was provided and verified through direct observation while on the facility tour. The inmate interviews consistently reinforced a positive culture in which they felt safe. The Walsh County Jail is a very small jail. The Sheriff directly oversees the jail operations and is assisted by the Chief Correctional Officer who is the PREA Coordinator. There are six correctional officers. They require at a minimum staffing level of two officers on duty each 12-hour shift with the exception of the early morning hours of 3:30am to 7:30am in which one officer is on duty. There are no female inmates in custody at this jail as they are contracted for confinement at Grand Forks County Correctional Center.</p> <p data-bbox="229 528 1509 958">The auditor reviewed the documentation that the facility provided. The facility provided documents as requested by the auditor to include their schedule which they use as their current staffing plan as well as Zuercher logs for unannounced rounds by supervisory staff. The management staff stated they come in frequently to conduct unannounced rounds to observe operations. The auditor viewed the electronic jail log to confirm entries. The Chief Correctional Officer conducts unannounced rounds that are in compliance with the standard. This was verified by log reports with the tag "Supervisory Staff Patrol" provided to the auditor as well as through interviews. The auditor recommends that the times of these rounds be more varied and include more later nights, weekends and holidays. The Sheriff walks through the jail and this was verified through staff interviews. However, these rounds are not documented. The auditor recommends that the correctional officers document these rounds in the log reports as Supervisory Staff Patrol rounds also. Their policy prohibits staff from alerting other staff members that these supervisory rounds are occurring. There are multiple cameras throughout the facility that are monitored both in the correctional control room staff and the law enforcement dispatch staff. The jail has not completed an annual assessment to assess, determine, and document whether adjustments are needed. There are no documented incidents of falling below their minimum staffing levels.</p> <p data-bbox="229 981 1509 1164">CORRECTIVE ACTION: The auditor required documented evidence of an annual assessment to determine whether adjustments are needed to the management of the jail in relation to staffing levels, assignments, and monitoring technology. The policy outlines very well what the facility needs to do each year regarding the annual staffing plan analysis, but the auditor was not provided documented evidence that this discussion occurred. On December 2, 2021, the Chief Corrections Officer provided the documentation of the annual discussion regarding their staffing levels and monitoring technology.</p>

115.14	Youthful inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The Walsh County Jail does not house youthful inmates

115.15	Limits to cross-gender viewing and searches
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1490 797">There are no female inmates housed at this facility. Female correctional officers do not strip search male inmates, but policy requires that if this does occur during an exigent circumstance to document it with justification. The facility would document any exigent circumstances within their log. The auditor recommends that they create a code for this type of entry so that it can more easily be retrieved. To be clear, there have been no exigent circumstances at this facility that required a cross-gender search and this was verified by interviews. The facility prohibits examination for the sole purpose of determining gender and staff are knowledgeable of correct search procedures for transgender or intersex inmates. If the offender's genital status is unknown, it is determined during conversations with the offender, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner. Staff are trained in cross-gender and transgender pat searches and adequately explained during the interview process using the back of the hand for these searches as well as requesting inmates who are transgender or intersex to state their preference for the gender of the staff to conduct their search. Cross-gender search training is taught in Correctional Officer Basic school. The correctional officers also viewed within the last year a refresher training video provided through the PREA Resource Center titled "Guidance in Cross-Gender and Transgender Pat Searches." Inmates are subject to an unclothed search in the booking area during the intake process. The inmate is positioned near the toilet in the holding cell, the door remains open and the correctional officer stands just outside the door and gives verbal commands to the inmate to conduct the search.</p> <p data-bbox="242 831 1490 1126">All toilets and shower areas are blacked out on the cameras for inmate privacy while toileting and showering. All female correctional officers make announcements when entering an inmate housing area. This was witnessed by the auditor as she toured the facility and was also verified by the auditor through staff and inmate interviews. Inmates shower in private shower stalls to provide privacy and to prevent observation by staff of the opposite gender or casual observers. There is an issue with the Ward housing area toilets. The restroom is located immediately to the left of the entry doorway to this housing area. There is no door on the restroom, and it has a rather wide opening. The toilet is easily viewed upon entry into the Ward housing area. Although inmates and female staff stated that female correctional officers make an announcement prior to entering the area, some inmates felt this does not allow enough time to complete toileting and cover-up prior to their entry. Female Correctional Officers did state they direct their eyes to the right of the Ward bed area and not the toilet upon entry.</p> <p data-bbox="242 1158 1490 1552">CORRECTIVE ACTION: The auditor required an alternate plan for the strip search area that provides for more privacy to conduct this unclothed search. Booking area unclothed searches are done one-on-one between a correctional officer and an inmate. The search was conducted with the inmate standing in the recovery cell in the booking area with the door open and the correctional officer standing in the booking hallway outside of the doorway. This is a small area and there is no traffic in this area so that there is privacy during this process. The inmate was directed to stand near the toilet which is blacked out on the camera view. This blacked out area does not completely cover an inmate standing, unclothed during the strip search. Staff suggested during the audit that they will move this search to the laundry room adjacent to the garage. In the laundry room the inmate can stand in this room off-camera while the officer can stand in the just outside of the doorway in the garage and be on camera during the entire search. Again, there is no traffic in this area during the search. On May 23, 2021, the Chief Corrections Officer provided the auditor photographic evidence of the laundry area and how they altered this area with a privacy curtain and a yellow outlined box on the floor for the search area. This area allows for privacy for the inmate but still allows the corrections officer to be on camera to ensure the safety of both the officer and the inmate.</p> <p data-bbox="242 1583 1490 1879">The auditor required a modification to the restroom of the Ward housing unit so that the two toilets cannot be viewed upon entry into this housing area. Suggested modifications include a corrections-grade security curtain that provides privacy of a small section, but allows the correctional officer to view the head and feet, but not the middle area; a narrowing of the entrance to the restroom with a brick half-wall that restricts only the view of an inmate seated on the toilets, but still allows view into the restroom for security purposes; or a wider, stainless steel partition coming from the wall on each side of the two toilets. On July 1, 2021, the Chief Corrections Officer provided the auditor photographic evidence that a curtain was installed to the entrance of the restroom. The curtain is positioned so that you can still see feet within the restroom, but the remaining area of the toilets are blocked by the curtain. This ensures that inmates using the toilets in this area cannot be seen when an officer walks into the Ward housing unit.</p>

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 451 237">Auditor Discussion</p> <p data-bbox="244 271 1469 432">The Walsh County Jail uses border patrol agents who speak Spanish and sign-language interpreters or interpreters for inmates who are limited English proficient that are provided through the court system. During the onsite portion of the audit the Sheriff was the only one who really new the ability to use these services. At the time of the on-site portion of the audit there were no inmates who needed assistance. The staff assist visually impaired or those with intellectually impairments by verbally going over the material or providing assistance in a manner they are able comprehend.</p> <p data-bbox="244 465 1469 689">CORRECTIVE ACTION: To comply with this standard, the auditor required the facility provide documented evidence of an interpretive service such as a contract or instructions with account number assigned. In addition, the auditor required this information be readily available for staff future reference on how to access an interpretive service for all languages including sign-language. The policy states they use the Language Link. However, staff provided different varying answers such as a number they call for a contracted interpreter service, the use of the county's translator list, staff who speak Spanish and the Border Patrol agent. On December 1, 2021, the Chief Corrections Officer provided their contract information from Language Link and that they posted this information near the booking desk and instructions on how to use the link.</p>

115.17	Hiring and promotion decisions
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 210 453 235">Auditor Discussion</p> <p data-bbox="242 271 1481 530">The auditor interviewed the Sheriff responsible for hiring and reviewed personnel files for necessary documentation to meet this standard. The facility has performed background checks at the time of employment of new hires and every five years thereafter. However, the Walsh County Jail did not have documentation of the required three questions about sexual misconduct as well as a continuing duty to report. These inquiries were not made during the employment process, promotions or during the annual review. The auditor reviewed employment applications. There were a few employees who had previous institutional employers in their employment history. However, there was no documentation that there were reference checks to inquire if there was any substantiated sexual abuse during their employment or any resignation during a pending investigation of an allegation of sexual abuse.</p> <p data-bbox="242 562 1481 922">CORRECTIVE ACTION: To comply with this standard the auditor required that the facility provide documentation for asking questions during the hiring and promotion process regarding previous sexual misconduct. They must also provide to the auditor acknowledgement forms of employees continuing duty to report any sexual misconduct. Both the sexual misconduct questions and the continuing duty to report question must be asked again of each employee during their annual review process or upon promotion. Documentation of this must be provided to the auditor for each employee currently employed at the Walsh County Jail in order to obtain compliance with this standard. The auditor required documentation of reference checks with previous institutional employers regarding any substantiated allegations of sexual abuse. On May 27, 2021, the Chief Corrections Officer provided completed forms titled "Sexual Misconduct Questionnaire for Previous Institutional Employers" that had been completed for two recent new hires who had previous institutional employers. On July 5, 2021, the Chief Corrections Officer provided signed employee "PREA Questionnaire for Yearly Evaluation" forms for all existing employees.</p> <p data-bbox="242 954 1481 1048">The auditor recommended a PREA section added to their New Employee Checklist that includes that these processes were completed (the three sexual misconduct questions, continuing duty to report and a reference check with previous institutional employers regarding substantiated sexual abuse).</p>

115.18	Upgrades to facilities and technologies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor reviewed the Walsh County Jail policy, video monitoring systems, directly observed all areas of the facility and conducted interviews with the administrative staff. The facility considers protection of inmates and the standards when contemplating upgrades to the facility or in the application of technology. This jail utilizes video monitoring and an intercom system to both monitor activity within the housing area and provide a means for inmates to request assistance.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1493 465">The auditor reviewed the PREA policy and interviewed the Sheriff, the PREA Coordinator and the investigator from the Walsh County Sheriff's Department. Victims of sexual abuse have access to forensic medical exams through Altru Hospital in Grand Forks. The auditor spoke with the SANE nurse and she confirmed SANE trained nurses will provide forensic sexual assault medical examinations. The facility has an MOU with Domestic Violence and Abuse Center Inc. (DVAC) in Grafton for advocacy services. If law enforcement responds to a sexual assault case within the jail, evidence protocol is followed and they work cooperatively with the SANE nurse to ensure all usable physical evidence is gathered.</p>

115.22	Policies to ensure referrals of allegations for investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 725">The facility refers all allegations for investigation. Investigations are completed by qualified investigators and required documentation and reporting will occur. Currently a Sheriff's office investigator or a Bureau of Investigations (BCI) agent would handle any investigations. Criminal investigations involving staff-on-inmate sexual misconduct are investigated by an investigator from the North Dakota Bureau of Investigations. Referrals for investigations are outlined in policy C-270 "(PREA) Prison Act of 2003". The entire PREA policy to include the investigative section is published on the Walsh County website at https://www.co.walsh.nd.us However, the policy states that the Walsh County lead investigator will ensure criminal allegations of sexual abuse or sexual harassment are referred to the Bureau of Criminal Investigation unless it does not involve potentially criminal behavior. During the interviews it was stated that the sheriff's office investigator handles most investigations unless staff are involved. These steps need to be more clearly defined in the PREA policy C-270 it states all criminal investigations are referred to BCI. In addition, the investigative policy provided directly to the auditor titled 606.10 SEXUAL ABUSE AND SEXUAL HARASSMENT INVESTIGATIONS does not match the investigative policy posted on the agency website titled (PREA) Prison Act of 2003 C-270 (specifically paragraph 3 §115.65 Coordinated Response – Investigation of sexual abuse or sexual harassment found on pages 18 through 22,</p> <p data-bbox="229 725 1509 972">CORRECTIVE ACTION: To meet this standard the auditor required that the jail more clearly define the investigator roles in its PREA policy investigations section to state when a potential criminal investigation would be investigated by the Sheriff's office and when it would be investigated by BCI. The policy supplied on the agency website must be identical to the policy supplied to the auditor. On December 1, 2021, the Chief Corrections Officer emailed and verified that the correct policy is, C-270 Prison Rape Elimination Act. This policy is also available on the Walsh County website. This policy states that the Walsh County lead investigator will ensure criminal allegations of sexual abuse or sexual harassment are referred to the Bureau of Criminal Investigation unless the allegation does not involve potentially criminal behavior.</p>

115.31	Employee training
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 748">The auditor interviewed the Sheriff, the PREA Coordinator and staff and reviewed training documentation. Basic PREA training with staff was apparent during the interviews as staff were knowledgeable when interviewed in the required competencies such as the correct first responder response – separate, provide care, protect evidence, call for assistance, notify supervisory staff and provide a written report. They begin with new employees participating in the video “Complying with PREA for the C.O.” from Lockup USA Productions. Long term employees watch other videos to expand their knowledge of PREA such as “Communicating Effectively and Professionally with LGBTI Offenders”, “PREA Audit Process and Instrument Overview”, “PREA 201 for Medical and Mental Health Practitioners” However, they have completed some of the NIC courses such as “PREA for Community Confinement Facilities” that are not applicable to jails and prisons. Although this course gives good basic PREA information, the standards for a community confinement facility are slightly different than those in a jail and this specific training does not delve deep enough into the role of a correctional officer in complying with PREA standards. Their training documentation is a list by CO name, with columns that include the course, the date and the number of hours of each training. Most staff also completed a PREA training component at Correctional Officer Basic School. However, the auditor was not provided training documentation or curriculums of the PREA component in CO Basic School to verify that this meets the requirements for PREA staff training.</p> <p data-bbox="229 748 1509 972">CORRECTIVE ACTION: To comply with this standard, the auditor required training certificates for employee training or a signed verification of training on the 10 basic required components in the training standard. The auditor suggested that a form be used stating the specific requirements lettered (1) through (10) in Standard 115.31 on a training acknowledgment form that is signed and that any future training offered have a brief summary of the type of training, the curriculum used and verified by signature with a statement acknowledging understanding. On July 6, 2021, the Chief Corrections Officer provided updated training documentation for all staff.</p>

115.32	Volunteer and contractor training
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility states that they have not had any volunteers since the Covid pandemic began over a year ago. The files maintained by the previous PREA Coordinator have not been located. The facility does utilize contractors that have contact with inmates for any services.</p> <p>CORRECTIVE ACTION: The auditor required that the facility provide the form used to document the basic PREA training given to volunteers that provide services to inmates within the jail to include the facility's zero tolerance policy on sexual abuse and sexual harassment and that it is mandatory that they report and knowledge of sexual abuse or sexual harassment that occurred within the facility to the administrators. If any volunteers are utilized during the corrective action period, their specific signed and dated training forms must be submitted to the auditor. On July 8, 2021, the Chief Corrections Officer provided their training documentation form. There were no volunteers used during the corrective action period.</p>

115.33	Inmate education
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1477 499">The Walsh County Jail has implemented an inmate training program. The basic information is provided to an inmate during the intake process about the jail's zero tolerance policy and how to report. Within 30 days of arrival the inmates are shown a video, "PREA – What You Need to Know", with more comprehensive information. The training was confirmed during the inmate interviews. However, the facility did not have any documentation which includes signatures and dated verification of this inmate education. There is also information in the inmate handbook on the texters and posters throughout the facility. However, the posters have national advocacy organizations and do not have the local advocacy organization and local reporting information. This is addressed in the corrective action for Standard 115.51 Inmate Reporting.</p> <p data-bbox="244 533 1477 790">CORRECTIVE ACTION: The auditor required that the facility provide a dated signature sheet of the initial training given to each inmate during the intake process that documents they have received information explaining the Walsh County Jail's zero-tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. In addition, the auditor required the facility provide verification they received more comprehensive education within 30 days of intake through the video. On December 1, 2021, the Chief Corrections Officer provided a dated signature sheet of the initial training given to each inmate during the intake process. He supplied a statement that the more comprehensive information is given in a PREA video on their texters and they have to watch it and accept that they have watched in order to use the texter. Texters are issued to the inmates a day after they come to jail.</p>

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 582">Currently a Sheriff's office investigator or a BCI agent handles any investigations. All allegations are turned over to the Sheriff's Office for investigation. The sheriff stated that they would request assistance in criminal investigations of sexual abuse from the BCI. The auditor interviewed the sheriff's office investigator and found him to be an experienced investigator. He has completed the Bureau of Criminal Investigation's basic investigator course which includes a sexual abuse component. He has also completed the National Institute of Correction's course "PREA: Investigating Sexual Abuse in a Confinement Setting". The training he has attended includes techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. All criminal investigations involving staff-on-inmate sexual misconduct would be investigated by an investigator from the North Dakota Bureau of Criminal Investigations.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor interviewed the county health nurse who provides nursing services to the Walsh County Jail and reviewed training documentation. The nurse completed the National Institute of Corrections course "Medical Care for Sexual Assault Victims in a Confinement Setting on 4-6-15.

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 591">The Walsh County Jail completes a screening process upon intake. Staff confirmed that they are continually reassessing an inmate's status. They specifically would reassess if a referral or request was made by any staff, volunteer or if there was an incident of sexual abuse or receipt of additional information that has bearing on their risk of sexual victimization or abusiveness. However, they are not completing nor documenting a formal follow-up screening process within 30 days following an inmate's arrival. The standard requires that 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 but not to exceed 30 days of the inmate's arrival. There is a section on the Walsh County Jail's screening form to complete the follow-up screening, but of the fourteen inmates housed at the facility five of the inmates have been there for more than 30 days, but there were no re-assessment notes on the form.</p> <p data-bbox="229 591 1509 772">CORRECTIVE ACTION: The auditor requires the Walsh County Jail provide follow-up screening notes for inmates housed for 30-days or more. These notes must be completed for all inmates housed at the facility during the on-site audit and for any additional inmates that are housed at the facility during the corrective action period. On July 6, 2021, the Chief Corrections Officer provided the 30-day screenings for current inmates up to that time. On December 1, 2021, the Chief Corrections Officer again provided the 30-day screenings for their current inmates.</p>

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1484 465">Walsh County Jail has a PREA screening process and uses that along with other classification methods to determine placement within their housing unit and bed assignment. All inmates housing and bed assignments are done on a case-by-case basis considering the inmate's own views of safety. Inmates who are transgender or intersex are given the opportunity to shower separately. The Walsh County Jail is a small jail and therefore all staff conduct screenings. Once the are completed they are locked within the staff office to control the dissemination of responses to screening questions. This ensures that sensitive information is not exploited to the offender's harm by staff or other offenders.</p>

115.43	Protective Custody
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 515">Walsh County Jail staff typically finds alternative housing units that provide protection for the inmate without segregating or isolating them. If they needed protective custody it would be for very limited duration and only until they can find appropriate housing. If the Walsh County Jail restricts access to privileges they will document the opportunities that have been limited, the duration of the limitation; and the reasons for such limitations. Offenders at high risk for sexual victimization would not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. There have been no incidents of use of protective custody to keep an inmate safe from sexual victimization.</p>

115.51	Inmate reporting
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 451 237">Auditor Discussion</p> <p data-bbox="244 271 1485 432">The auditor interviewed administrators, staff and inmates, reviewed policy and toured the facility. The Walsh County Jail provides multiple internal ways for inmates to privately report sexual abuse and sexual harassment, retaliation by other offenders or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents. Staff accepts reports made verbally, in writing, anonymously, and from third parties and promptly document any verbal reports.</p> <p data-bbox="244 465 1485 790">At the time of the onsite portion of the audit the Walsh County Jail utilized the Domestic Violence and Abuse Center in Grafton as its external reporting entity. The auditor informed the facility that the Department of Justice legal interpretation of this standard through a FAQ posted on the PREA Resource Center website dated 6Feb2020 states that typically a rape crisis center and other victim service providers should not be used for this purpose. They have a mission of providing support and services to victims. Under federal law, if such centers and providers are funded at least in part, either as a direct recipient or as a subrecipient of certain federal grants they are required to keep identifying information about victims confidential. The only limited exceptions to this requirement are when the victim signs an informed, written, time-limited release, or when release is required by a legal mandate. This requirement to keep confidential identifying information about victims conflicts with the requirement of PREA Standard 51(b) to be able to immediately forward reports of sexual abuse and sexual harassment to agency officials.</p> <p data-bbox="244 824 1485 1048">CORRECTIVE ACTION: The auditor required that the Walsh County Jail find a different way for inmates to report abuse or harassment to an external entity that is not part of their agency, and that is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment back to the Sheriff. This external entity must allow the inmate to remain anonymous upon request. On May 4, 2021, the Chief Corrections Officer provided their updated procedure for inmates to report to an external entity. The Grafton Police Department has agreed to have their number posted and to receive calls from inmates and immediately forward these inmate reports of sexual abuse and sexual harassment to the Walsh County Jail officials, allowing the inmate to remain anonymous upon request.</p>

115.52	Exhaustion of administrative remedies
	<p data-bbox="242 145 738 174">Auditor Overall Determination: Meets Standard</p> <p data-bbox="242 210 451 239">Auditor Discussion</p> <p data-bbox="242 271 1485 936">The auditor reviewed the PREA policy, the grievance process provided to inmates and conducted staff and inmate interviews. There were no grievances that alleged sexual abuse within this audit reporting period. The PREA Policy and the grievance process document provided to inmates have conflicting information. In the PREA policy Walsh County Jail does not impose a time limit on when an offender may submit a grievance regarding an allegation of sexual abuse. They do not require an offender to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. They ensure that an offender who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint, and such grievance is not referred to a staff member who is the subject of the complaint. They issue 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. Third parties, including fellow offenders, staff members, family members, attorneys, and outside advocates, are permitted to assist offenders in filing requests for grievances relating to allegations of sexual abuse, and are also be permitted to file such requests on behalf of offenders. They have established procedures for the filing of an emergency grievance when the offender is subject to a substantial risk of imminent sexual abuse. After receiving an emergency grievance alleging a substantial risk of imminent sexual abuse, the Walsh County Jail staff immediately forwards the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to the Sheriff for immediate corrective action, and provides an initial response within 48 hours, and issues a final decision within 5 calendar days. The initial response and final decision documents their determination whether the offender is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. The Walsh County Jail may discipline an offender for filing a grievance related to alleged sexual abuse only where the jail demonstrates that the offender filed the grievance in bad faith. However, many of these requirements of the standard are negated within the inmate grievance process document that is provided to inmates.</p> <p data-bbox="242 965 1437 1025">CORRECTIVE ACTION: The auditor requires modifications to the Grievance Process document provided to inmates as there are several items that conflict with this standard as listed below.</p> <ul data-bbox="242 1055 1485 1939" style="list-style-type: none"> <li data-bbox="242 1055 1485 1216">· The Walsh County Jail Grievance Process states that the issue must personally affect the inmate filing the grievance. The standard requires that third parties, including fellow inmates, staff, family, attorneys and outside advocates can assist or file on behalf of an inmate. If filed on behalf of an inmate, the facility may require that the alleged victim agrees to have the request filed on their behalf. If the inmate declines to have the request processed on their behalf, the agency must document the inmate's decision. <li data-bbox="242 1245 1465 1341">· The Walsh County Jail Grievance Process states that the inmate is required to resolve the complaint informally. The standard requires that they not require an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse. <li data-bbox="242 1370 1465 1467">· The Walsh County Jail Grievance process states that they may obtain assistance from staff but does not list the other third parties that may assist. The standard requires that they are able to obtain assistance from third parties, including inmates, staff, family, attorneys and outside advocates. <li data-bbox="242 1496 1428 1556">· The Walsh County Jail Grievance Process requires that the grievance be submitted within two days of the alleged incident. The standard requires that there be no time limit on reporting a sexual abuse allegation. <li data-bbox="242 1585 1485 1747">· The Walsh County Jail Grievance Process does not state a time period in which to respond to emergency grievances. The standard requires that an emergency grievance be immediately forwarded to a level of review that can take immediate corrective action and that the jail must provide an initial response with 48 hours and a final decision within five calendar days. This initial response and final decision will document the determination whether the inmate is in substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance. <li data-bbox="242 1776 1485 1939">· The Walsh County Jail Grievance Process does not specifically state that the inmate must be able to submit a grievance without submitting it to a member who is the subject of complaint and that the grievance not be referred to the staff member who is the subject of the complaint. It also does not specifically state that 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 data-bbox="242 1968 1477 2096">On July 8, 2021, the Chief Corrections Officer provided their revised grievance form which includes language at the very top of the form that states there are exceptions to the grievance policy if the grievance is regarding sexual abuse. Those exceptions are printed on the back of the grievance form. This clears up any contradictions between the PREA policy and the grievance policy.</p>

115.53	Inmate access to outside confidential support services
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Inmates have access to outside confidential support services. The facility has an agreement with the Domestic Violence and Abuse Center Inc. for advocacy and support services. In addition, the jail nurse may make referrals for mental health support services through the Northeast Human Services center.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The facility has posted on their website at https://www.co.walsh.nd.us/index.asp?Type=B_BASIC&SEC={B1750B87-A82F-41A2-8D42-CEDE68BE0EF7} the address and telephone number to contact the sheriff to sexual abuse or harassment on behalf of an inmate.

115.61	Staff and agency reporting duties
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1461 434">related to sexual abuse/harassment incidents, retaliation and staff negligence that may have contributed to such incidents. Staff are required to make such reports to the Chief Corrections Officer and a report is submitted to the investigator. Staff interviews confirmed their responsibility to report and to maintain that information in confidence. The PREA policy requires the report of all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports to the Sheriff's Department investigator.</p>

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The facility requires all staff to take immediate action to protect the inmate from imminent sexual abuse. The Sheriff and the Chief Corrections Officer and direct care staff understand that “immediate” means when the response is needed – that could mean within minutes if the abuse was recent or it could mean before the end of the shift for incidents in which an abuse was reported that occurred in the distant past. This was verified through a review of the PREA policy and staff interviews.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Interviews with the Sheriff and the Chairman of the County Commission confirm actions that will be taken upon receiving an allegation of sexual abuse while an inmate was at another facility or received from another facility about sexual misconduct that was alleged to have occurred at the Walsh County Jail. Such action will be initiated no later than 72 hours and actions will be documented. These steps were also noted in the review of policies and procedures. If an allegation is received from another facility about the Walsh County Jail it goes directly to the Sheriff as the point of contact. There have been no instances of these allegations received from other facilities or reported to other facilities.</p>

115.64	Staff first responder duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Interviews with staff verified their process to provide assistance; separate alleged victim/abuser; preservation and protection of evidence by securing the scene including that the victim or perpetrator not take any actions that could destroy any physical evidence and to report immediately to the Chief Corrections Officer and the Sheriff. These actions are also required by policy.

115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 515">The auditor reviewed the section of the PREA policy related to the coordinated response plan, reviewed the MOU with the Domestic Violence and Abuse Center, interviewed the sheriff, the staff, the investigator, a Domestic Violence and Abuse Center staff member and the SANE nurse at Altru Hospital in Grand Forks. The Walsh County Jail coordinated response is within their PREA policy and it properly coordinates actions between first responders, medical and mental health practitioners, investigators, the sheriff, and the Chief Corrections Officer/PREA Coordinator. The staff and administrators know to provide immediate medical care at Unity Hospital in Grafton, the local hospital and to transport to Altru Hospital in Grand Forks for a forensic examination to be completed by a SANE.</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The Walsh County Jail Sheriff will remove alleged staff sexual abusers from contact with inmates pending the outcome of the investigation. The facility is not restricted in any way from protecting inmates from contact with abusers.

115.67	Agency protection against retaliation
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The PREA coordinator in conjunction with the Sheriff is charged with monitoring for retaliation. Should any person who cooperates with a sexual misconduct investigation express fear of retaliation; appropriate protective measures will be taken. Retaliation monitoring will be discontinued should the allegation be unfounded. Measures include housing changes, removing contact of alleged staff/inmate abusers and emotional support services for those who fear retaliation. Interviews with the PREA Coordinator confirmed his duties and responsibilities. Monitoring is required through their PREA policy.</p>

115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The Walsh County Jail staff typically finds alternative housing units that provide protection for the inmate without segregating or isolating them. Their first response is to remove the abuser. If they will need to use protective custody it would be for very limited duration only until they can find appropriate housing.

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	<p data-bbox="242 208 451 235">Auditor Discussion</p> <p data-bbox="242 271 1476 633">The auditor interviewed staff and inmates, the Sheriff, the Chief Corrections Officer and the Chief Deputy who would investigate any sexual abuse or sexual harassment allegations. There were no documented investigations at the Walsh County Jail to review. Through the interview with the investigator it was determined that investigations are not terminated should the source of the allegation recant. Should criminal prosecution be considered, the investigator coordinates with the state's attorney. Polygraph tests are not used in the course of their investigations. All written reports are retained for as long as the alleged abuser is incarcerated or employed by the facility plus five years. Investigations will not be terminated due to the departure of an alleged abuser or victim. These steps are properly documented in the PREA policy. The sheriff's office investigator has completed the required training. Investigations include efforts to determine whether staff actions/failures contributed to the abuse documented through written reports, which will include physical/testimonial evidence, credibility assessments and investigative facts and findings. There was a conflict noted between interviews and the published policy which states North Dakota Bureau of Criminal Investigation (BCI) will conduct all criminal investigations.</p> <p data-bbox="242 665 1485 1025">CORRECTIVE ACTION: The auditor required the policy published on the facility website be clarified to reflect how the facility operates regarding assigning sexual assault investigators for potentially criminal sexual abuse allegations. The auditor was informed during interviews that most PREA investigations will be completed by an investigator from the Sheriff's Department. If the allegation is made against a staff member and appears to be criminal, it will be referred to the North Dakota Bureau of Criminal Investigation (BCI). The policy states in multiple locations, "If it is determined a crime has been committed the Lead Investigator shall request assistance from the Bureau of Criminal Investigations and work as a liaison with the investigative agency in the investigation." This states that all criminal investigations are conducted by BCI and that is not accurate. On December 1, 2021, the Chief Corrections Officer emailed and verified that the correct policy is, C-270 Prison Rape Elimination Act. This policy is also available on the Walsh County website. This policy states that the Walsh County lead investigator will ensure criminal allegations of sexual abuse or sexual harassment are referred to the Bureau of Criminal Investigation unless the allegation does not involve potentially criminal behavior.</p>

115.72	Evidentiary standard for administrative investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	Both the Sheriff and the Sheriff's department investigator are knowledgeable that they facility uses no standard higher than the preponderance of evidence in making final determinations of sexual abuse/harassment – meaning that the facility can take necessary actions when at the conclusion of the investigation the evidence leads them to believe the incident more than likely occurred (greater than 50%) regardless of the higher standard needed for referring a case for prosecution.

115.73	Reporting to inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Walsh County Jail has had no incidents in which to report back to inmates. The auditor interviewed staff and the investigator. The auditor reviewed the PREA policy which states that following an investigation, the Lead Investigator or staff member designated by the Lead Investigator will inform the inmate or inmates verbally whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The Lead Investigator will deliver in person a statement of findings which will require the signature of the inmate or inmates. If the inmate refuses to sign the findings form, the Lead Investigator will document the refusal and have a staff member witness and sign the refusal. The auditor recommends that a form be developed to assist in documenting that the inmate was provided the outcome of the investigation.</p>

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1485 562">The auditor interviewed the Sheriff and reviewed PREA policy. Staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. Termination is the presumptive disciplinary sanction for staff who have engaged in sexual abuse. Disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) are 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. 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, are reported to law enforcement, unless the activity was clearly not criminal, and to any relevant licensing bodies. There have been no reported cases of staff misconduct regarding sexual abuse or sexual harassment.</p>

115.77	Corrective action for contractors and volunteers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 453 237">Auditor Discussion</p> <p data-bbox="244 271 1497 501">Currently there are no contractors or volunteers nor have there been any over the last year. Typically the facility does not utilize contractors who have contact with inmates. Volunteers in previous times were typically religious volunteers. Should contractors and/or volunteers be utilized again in the future, they would be subject to disciplinary actions including termination for violation of facility sexual abuse/harassment policies. According to the Sheriff should any violation of this type be substantiated, he has complete authority to administer remedial measures including prohibiting further contact with inmates. Contractors or volunteers who engage in sexual abuse, will be reported to law enforcement agencies (unless the activity was clearly not criminal).</p>

115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 208 453 237">Auditor Discussion</p> <p data-bbox="244 271 1461 501">The auditor interviewed the Sheriff, the PREA Coordinator, staff, and inmates and reviewed policy. The facility prohibits disciplinary action for a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred. The Walsh County Jail does not provide counseling or therapy to address and correct the underlying reasons or motivations for abuse. If findings of inmate-on-inmate sexual abuse are substantiated, administrative sanctions will be administered following the formal disciplinary processes and applied commensurate with the level of infractions. Some examples given by the Sheriff are loss of privileges such as the use of texters, visitation or commissary and other minor sanctions for minor infractions. More serious infractions would be segregation, transfer, and additional criminal charges.</p>

115.81	Medical and mental health screenings; history of sexual abuse
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The auditor interviewed the nurse and reviewed policy. If the screening indicates that an inmate experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, the staff are to ensure the inmate is offered a follow-up meeting with the nurse within 14 days of the intake. The nurse sees all inmates within 14 days. This offer must be documented. Staff and the nurse were aware of this, but have had no screenings that indicated prior sexual victimization.</p>

115.82	Access to emergency medical and mental health services
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 562">The auditor interviewed the Sheriff, the PREA Coordinator and reviewed the PREA policy. Offender victims of sexual abuse would receive timely, unimpeded access to emergency medical treatment and crisis intervention services through either Unity Hospital in Grafton if immediate medical care were necessary or if possible, they would be transported to Altru Hospital in Grand Forks for a forensic examination to be completed by a SANE. Crisis intervention services would be provided by referral from either the county health nurse or the medical providers at the hospital. The PREA policy documents PREA requirements for access to emergency medical and mental health services. Emergency medical and mental health services are provided without charge to inmates.</p>

115.83	Ongoing medical and mental health care for sexual abuse victims and abusers
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 548">The auditor interviewed Sheriff, the PREA Coordinator, the nurse and reviewed the PREA policy. The county health nurse would conduct a medical evaluation or take the recommendation from any previous medical providers for continued care for any offenders who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility. 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. Offender victims of sexual abuse while incarcerated are offered tests for sexually transmitted infections as medically appropriate. Treatment services are 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. There are no female inmates at this facility.</p>

115.86	Sexual abuse incident reviews
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 613">The auditor interviewed the Sheriff and the PREA Coordinator. There have been no incidents to review. The process is outlined within policy and follows the standard. The Walsh County Jail will 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. This review will occur within 30 days of the conclusion of the investigation. The review team includes the Sheriff, the Chief Correctional Officer who has been assigned duties as the PREA Coordinator, the investigator and if relevant, the nurse. However, the administrators reported that there is no form setup to document the incident review. Their policy does follow the standard with respect to when a review should be conducted, who should be in attendance and what questions should be answered. The auditor recommends that a form be developed in which to document reviews when needed in the future. In this way they are sure to document important factors such as motivation, adequate staffing levels, monitoring technology and whether there are any recommendations for improvement.</p>

115.87	Data collection
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1509 255">Auditor Discussion</p> <p data-bbox="229 255 1509 479">The auditor interviewed the Sheriff and the PREA Coordinator and reviewed the PREA policy. There has been no annual report prepared with aggregated data. The facility has had no incidents. However, they will collect uniform data for every allegation of sexual abuse using definitions from the PREA standards and will aggregate the incident-based sexual abuse data at least annually. The facility does contract with Grand Forks Correctional Center for the confinement of female inmates and therefore should have incident-based and aggregated data from this facility, but they do not. The facility has not been asked to participate in the Survey Sexual Victimization</p> <p data-bbox="229 479 1509 828">CORRECTIVE ACTION: To comply with this standard the auditor required the Walsh County Jail collect and provide incident-based and aggregated data from Grand Forks County Correctional Center. While the Walsh County Jail has had no incidents of its own in which to collect and aggregate over the past year, they are required by this standard to obtain incident-based and aggregated data from Grand Forks County Correctional Center with which it contracts for the confinement of its female inmates. On December 2, 2021, the auditor verified that a link to Grand Forks County Correctional Center's PREA information to include aggregate data has been posted on the Walsh County website at https://www.co.walsh.nd.us/index.asp?SEC=B1750B87-A82F-41A2-8D42-CEDE68BE0EF7</p>

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	<p data-bbox="229 192 1508 255">Auditor Discussion</p> <p data-bbox="229 255 1508 434">The auditor interviewed the Sheriff and the PREA Coordinator and reviewed the PREA policy. The Walsh County Jail has had no incidents to review. However, they are aware of the requirement to collect data to assess and improve the effectiveness of their sexual abuse prevention, detection, and response policies, practices, and training, including identifying problem areas; taking corrective action on an ongoing basis; and preparing an annual report of its findings and corrective actions. They have not completed an annual report.</p> <p data-bbox="229 434 1508 864">CORRECTIVE ACTION: To meet this standard, the auditor required that the Walsh County Jail assess their efforts for effectiveness by preparing their 2020 annual report and posting this annual report on their website. This report should include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of their progress in addressing sexual abuse. In the future, an annual report for each year will need to be published on their website. On December 1, 2021, the Chief Corrections Officer provided the 2020 Walsh County Jail Annual Report. This report included comparative data from 2016 through 2020. It is important to note that the Walsh County Jail has had no reported incidents of sexual abuse or sexual harassment during this time. On December 2, 2021, the auditor verified that the Walsh County Jail 2020 Annual Report title "2020 PREA Statistical Report" has been posted on the Walsh County website at https://www.co.walsh.nd.us/index.asp?SEC=B1750B87-A82F-41A2-8D42-CEDE68BE0EF7.</p>

115.89	Data storage, publication, and destruction
	Auditor Overall Determination: Meets Standard
	<p data-bbox="244 210 453 237">Auditor Discussion</p> <p data-bbox="244 271 1473 365">The auditor interviewed the Sheriff and the PREA Coordinator, and reviewed the policy. The PREA policy addresses data storage, publication and destruction requirements. Data collected is retained via limited access and it is retained for at least ten (10) years. The Walsh County Jail has not made aggregated data publically available through its website.</p> <p data-bbox="244 398 1485 689">CORRECTIVE ACTION: To comply with this standard the auditor required that aggregated sexual abuse data be made readily available to the public at least annually through its website for both the Walsh County Jail and the facility with which it contracts, the Grand Forks County Correctional Center. To catch up, this data should be published for at least the previous three years to include 2018, 2019 and 2020. On December 1, 2021, the Chief Corrections Officer provided the auditor with their annual report which included aggregated data from 2016 through 2020. On December 2, 2021, the auditor verified that the Walsh County Jail 2020 Annual Report titled "2020 PREA Statistical Report" which includes their aggregate data has been posted on the Walsh County website at https://www.co.walsh.nd.us/index.asp?SEC=B1750B87-A82F-41A2-8D42-CEDE68BE0EF7.</p>

115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>The Walsh County Jail was first audited in April 2015 – Year 2 of the first audit cycle. The facility has maintained compliance with audit frequency from that point forward. The auditor had complete access and observed operations in every area of the Walsh County Jail. The auditor requested many documents throughout the audit process and will continue to request documents through the corrective action period. The Walsh County Jail staff have been very cooperative throughout the audit process. The jail provided private accommodations to conduct interviews, made adjustments to routines and staff schedules and allowed complete access to the auditor. The auditor notices were posted throughout the facility. The auditor received no correspondence or requests for interviews.</p>

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	This is the third audit for the Walsh County Jail. There are preceding audits from April 2015 and May 2018 published on their website.

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

115.13 (a)	Supervision and monitoring	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan 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?	na
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any applicable State or local laws, regulations, or standards?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
115.13 (b)	Supervision and monitoring	
	In circumstances where the staffing plan is not complied with, does the facility document and justify all deviations from the plan? (N/A if no deviations from staffing plan.)	na
115.13 (c)	Supervision and monitoring	
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The staffing plan established pursuant to paragraph (a) of this section?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The facility's deployment of video monitoring systems and other monitoring technologies?	yes
	In the past 12 months, has the facility, in consultation with the agency PREA Coordinator, assessed, determined, and documented whether adjustments are needed to: The resources the facility has available to commit to ensure adherence to the staffing plan?	yes

115.13 (d)	Supervision and monitoring	
	Has the facility/agency implemented a policy and practice of having intermediate-level or higher-level supervisors conduct and document unannounced rounds to identify and deter staff sexual abuse and sexual harassment?	yes
	Is this policy and practice implemented for night shifts as well as day shifts?	yes
	Does the facility/agency have a policy prohibiting staff from alerting other staff members that these supervisory rounds are occurring, unless such announcement is related to the legitimate operational functions of the facility?	yes
115.14 (a)	Youthful inmates	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (b)	Youthful inmates	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.14 (c)	Youthful inmates	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes
115.15 (b)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	na
	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.)	na
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)?	na

115.15 (d)	Limits to cross-gender viewing and searches	
	Does the facility have policies that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility have procedures that enables inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks?	yes
	Does the facility require staff of the opposite gender to announce their presence when entering an inmate housing unit?	yes
115.15 (e)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from searching or physically examining transgender or intersex inmates for the sole purpose of determining the inmate's genital status?	yes
	If an inmate's genital status is unknown, does the facility determine genital status during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as part of a broader medical examination conducted in private by a medical practitioner?	yes
115.15 (f)	Limits to cross-gender viewing and searches	
	Does the facility/agency train security staff in how to conduct cross-gender pat down searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes
	Does the facility/agency train security staff in how to conduct searches of transgender and intersex inmates in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs?	yes

115.16 (a)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are deaf or hard of hearing?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who are blind or have low vision?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have intellectual disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have psychiatric disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: inmates who have speech disabilities?	yes
	Does the agency take appropriate steps to ensure that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment, including: Other (if "other," please explain in overall determination notes.)	yes
	Do such steps include, when necessary, ensuring effective communication with inmates who are deaf or hard of hearing?	yes
	Do such steps include, when necessary, providing access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication 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
	Does the agency consider any incidents of sexual harassment in determining whether to enlist the services of any contractor who may have contact with inmates?	yes
115.17 (c)	Hiring and promotion decisions	
	Before hiring new employees who may have contact with inmates, does the agency perform a criminal background records check?	yes
	Before hiring new employees who may have contact with inmates, does the agency, consistent with Federal, State, and local law, make its best efforts to contact all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse?	yes
115.17 (d)	Hiring and promotion decisions	
	Does the agency perform a criminal background records check before enlisting the services of any contractor who may have contact with inmates?	yes
115.17 (e)	Hiring and promotion decisions	
	Does the agency either conduct criminal background records checks at least every five years of current employees and contractors who may have contact with inmates or have in place a system for otherwise capturing such information for current employees?	yes

115.17 (f)	Hiring and promotion decisions	
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in written applications or interviews for hiring or promotions?	yes
	Does the agency ask all applicants and employees who may have contact with inmates directly about previous misconduct described in paragraph (a) of this section in any interviews or written self-evaluations conducted as part of reviews of current employees?	yes
	Does the agency impose upon employees a continuing affirmative duty to disclose any such misconduct?	yes
115.17 (g)	Hiring and promotion decisions	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
115.17 (h)	Hiring and promotion decisions	
	Does the agency provide information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from an institutional employer for whom such employee has applied to work? (N/A if providing information on substantiated allegations of sexual abuse or sexual harassment involving a former employee is prohibited by law.)	yes
115.18 (a)	Upgrades to facilities and technologies	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (b)	Evidence protocol and forensic medical examinations	
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

115.21 (c)	Evidence protocol and forensic medical examinations	
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d)	Evidence protocol and forensic medical examinations	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	yes
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
115.21 (e)	Evidence protocol and forensic medical examinations	
	As requested by the victim, does the victim advocate, qualified agency staff member, or qualified community-based organization staff member accompany and support the victim through the forensic medical examination process and investigatory interviews?	yes
	As requested by the victim, does this person provide emotional support, crisis intervention, information, and referrals?	yes
115.21 (f)	Evidence protocol and forensic medical examinations	
	If the agency itself is not responsible for investigating allegations of sexual abuse, has the agency requested that the investigating agency follow the requirements of paragraphs (a) through (e) of this section? (N/A if the agency/facility is responsible for conducting criminal AND administrative sexual abuse investigations.)	yes
115.21 (h)	Evidence protocol and forensic medical examinations	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	yes
115.22 (a)	Policies to ensure referrals of allegations for investigations	
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual abuse?	yes
	Does the agency ensure an administrative or criminal investigation is completed for all allegations of sexual harassment?	yes

115.22 (b)	Policies to ensure referrals of allegations for investigations	
	Does the agency have a policy and practice in place to ensure that allegations of sexual abuse or sexual harassment are referred for investigation to an agency with the legal authority to conduct criminal investigations, unless the allegation does not involve potentially criminal behavior?	yes
	Has the agency published such policy on its website or, if it does not have one, made the policy available through other means?	yes
	Does the agency document all such referrals?	yes
115.22 (c)	Policies to ensure referrals of allegations for investigations	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	yes
115.31 (a)	Employee training	
	Does the agency train all employees who may have contact with inmates on its zero-tolerance policy for sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies and procedures?	yes
	Does the agency train all employees who may have contact with inmates on inmates' right to be free from sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the right of inmates and employees to be free from retaliation for reporting sexual abuse and sexual harassment?	yes
	Does the agency train all employees who may have contact with inmates on the dynamics of sexual abuse and sexual harassment in confinement?	yes
	Does the agency train all employees who may have contact with inmates on the common reactions of sexual abuse and sexual harassment victims?	yes
	Does the agency train all employees who may have contact with inmates on how to detect and respond to signs of threatened and actual sexual abuse?	yes
	Does the agency train all employees who may have contact with inmates on how to avoid inappropriate relationships with inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex, or gender nonconforming inmates?	yes
	Does the agency train all employees who may have contact with inmates on how to comply with relevant laws related to mandatory reporting of sexual abuse to outside authorities?	yes
115.31 (b)	Employee training	
	Is such training tailored to the gender of the inmates at the employee's facility?	yes
	Have employees received additional training if reassigned from a facility that houses only male inmates to a facility that houses only female inmates, or vice versa?	yes

115.31 (c)	Employee training	
	Have all current employees who may have contact with inmates received such training?	yes
	Does the agency provide each employee with refresher training every two years to ensure that all employees know the agency's current sexual abuse and sexual harassment policies and procedures?	yes
	In years in which an employee does not receive refresher training, does the agency provide refresher information on current sexual abuse and sexual harassment policies?	yes
115.31 (d)	Employee training	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
115.32 (a)	Volunteer and contractor training	
	Has the agency ensured that all volunteers and contractors who have contact with inmates have been trained on their responsibilities under the agency's sexual abuse and sexual harassment prevention, detection, and response policies and procedures?	yes
115.32 (b)	Volunteer and contractor training	
	Have all volunteers and contractors who have contact with inmates been notified of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment and informed how to report such incidents (the level and type of training provided to volunteers and contractors shall be based on the services they provide and level of contact they have with inmates)?	yes
115.32 (c)	Volunteer and contractor training	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
115.33 (a)	Inmate education	
	During intake, do inmates receive information explaining the agency's zero-tolerance policy regarding sexual abuse and sexual harassment?	yes
	During intake, do inmates receive information explaining how to report incidents or suspicions of sexual abuse or sexual harassment?	yes
115.33 (b)	Inmate education	
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from sexual abuse and sexual harassment?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Their rights to be free from retaliation for reporting such incidents?	yes
	Within 30 days of intake, does the agency provide comprehensive education to inmates either in person or through video regarding: Agency policies and procedures for responding to such incidents?	yes
115.33 (c)	Inmate education	
	Have all inmates received the comprehensive education referenced in 115.33(b)?	yes
	Do inmates receive education upon transfer to a different facility to the extent that the policies and procedures of the inmate's new facility differ from those of the previous facility?	yes

115.33 (d)	Inmate education	
	Does the agency provide inmate education in formats accessible to all inmates including those who are limited English proficient?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are deaf?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are visually impaired?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who are otherwise disabled?	yes
	Does the agency provide inmate education in formats accessible to all inmates including those who have limited reading skills?	yes
115.33 (e)	Inmate education	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
115.33 (f)	Inmate education	
	In addition to providing such education, does the agency ensure that key information is continuously and readily available or visible to inmates through posters, inmate handbooks, or other written formats?	yes
115.34 (a)	Specialized training: Investigations	
	In addition to the general training provided to all employees pursuant to §115.31, does the agency ensure that, to the extent the agency itself conducts sexual abuse investigations, its investigators receive training in conducting such investigations in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (b)	Specialized training: Investigations	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
115.34 (c)	Specialized training: Investigations	
	Does the agency maintain documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.35 (a)	Specialized training: Medical and mental health care	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or suspicions of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (b)	Specialized training: Medical and mental health care	
	If medical staff employed by the agency conduct forensic examinations, do such medical staff receive appropriate training to conduct such examinations? (N/A if agency medical staff at the facility do not conduct forensic exams or the agency does not employ medical staff.)	na
115.35 (c)	Specialized training: Medical and mental health care	
	Does the agency maintain documentation that medical and mental health practitioners have received the training referenced in this standard either from the agency or elsewhere? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
115.35 (d)	Specialized training: Medical and mental health care	
	Do medical and mental health care practitioners employed by the agency also receive training mandated for employees by §115.31? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners employed by the agency.)	yes
	Do medical and mental health care practitioners contracted by or volunteering for the agency also receive training mandated for contractors and volunteers by §115.32? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners contracted by or volunteering for the agency.)	yes
115.41 (a)	Screening for risk of victimization and abusiveness	
	Are all inmates assessed during an intake screening for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
	Are all inmates assessed upon transfer to another facility for their risk of being sexually abused by other inmates or sexually abusive toward other inmates?	yes
115.41 (b)	Screening for risk of victimization and abusiveness	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
115.41 (c)	Screening for risk of victimization and abusiveness	
	Are all PREA screening assessments conducted using an objective screening instrument?	yes

115.41 (d)	Screening for risk of victimization and abusiveness	
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (1) Whether the inmate has a mental, physical, or developmental disability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (2) The age of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (3) The physical build of the inmate?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (4) Whether the inmate has previously been incarcerated?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (5) Whether the inmate's criminal history is exclusively nonviolent?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (6) Whether the inmate has prior convictions for sex offenses against an adult or child?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (7) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming (the facility affirmatively asks the inmate about his/her sexual orientation and gender identity AND makes a subjective determination based on the screener's perception whether the inmate is gender non-conforming or otherwise may be perceived to be LGBTI)?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (8) Whether the inmate has previously experienced sexual victimization?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (9) The inmate's own perception of vulnerability?	yes
	Does the intake screening consider, at a minimum, the following criteria to assess inmates for risk of sexual victimization: (10) Whether the inmate is detained solely for civil immigration purposes?	yes
115.41 (e)	Screening for risk of victimization and abusiveness	
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior acts of sexual abuse?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: prior convictions for violent offenses?	yes
	In assessing inmates for risk of being sexually abusive, does the initial PREA risk screening consider, as known to the agency: history of prior institutional violence or sexual abuse?	yes
115.41 (f)	Screening for risk of victimization and abusiveness	
	Within a set time period not more than 30 days from the inmate's arrival at the facility, does the facility reassess the inmate's risk of victimization or abusiveness based upon any additional, relevant information received by the facility since the intake screening?	yes

115.41 (g)	Screening for risk of victimization and abusiveness	
	Does the facility reassess an inmate's risk level when warranted due to a referral?	yes
	Does the facility reassess an inmate's risk level when warranted due to a request?	yes
	Does the facility reassess an inmate's risk level when warranted due to an incident of sexual abuse?	yes
	Does the facility reassess an inmate's risk level when warranted due to receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness?	yes
115.41 (h)	Screening for risk of victimization and abusiveness	
	Is it the case that inmates are not ever disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked pursuant to paragraphs (d)(1), (d)(7), (d)(8), or (d)(9) of this section?	yes
115.41 (i)	Screening for risk of victimization and abusiveness	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive information is not exploited to the inmate's detriment by staff or other inmates?	yes
115.42 (a)	Use of screening information	
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Housing Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Bed assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Work Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Education Assignments?	yes
	Does the agency use information from the risk screening required by § 115.41, with the goal of keeping separate those inmates at high risk of being sexually victimized from those at high risk of being sexually abusive, to inform: Program Assignments?	yes
115.42 (b)	Use of screening information	
	Does the agency make individualized determinations about how to ensure the safety of each inmate?	yes
115.42 (c)	Use of screening information	
	When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems (NOTE: if an agency by policy or practice assigns inmates to a male or female facility on the basis of anatomy alone, that agency is not in compliance with this standard)?	yes
	When making housing or other program assignments for transgender or intersex inmates, does the agency consider, on a case-by-case basis, whether a placement would ensure the inmate's health and safety, and whether a placement would present management or security problems?	yes

115.42 (d)	Use of screening information	
	Are placement and programming assignments for each transgender or intersex inmate reassessed at least twice each year to review any threats to safety experienced by the inmate?	yes
115.42 (e)	Use of screening information	
	Are each transgender or intersex inmate's own views with respect to his or her own safety given serious consideration when making facility and housing placement decisions and programming assignments?	yes
115.42 (f)	Use of screening information	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
115.42 (g)	Use of screening information	
	Unless placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting lesbian, gay, bisexual, transgender, or intersex inmates, does the agency always refrain from placing: lesbian, gay, and bisexual inmates in dedicated facilities, units, or wings solely on the basis of such identification or status? (N/A if the agency has a dedicated facility, unit, or wing solely for the placement of LGBT or I inmates pursuant to a consent 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.)	na
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes

115.52 (d)	Exhaustion of administrative remedies	
	Does the agency issue a final agency decision on the merits of any portion of a grievance alleging sexual abuse within 90 days of the initial filing of the grievance? (Computation of the 90-day time period does not include time consumed by inmates in preparing any administrative appeal.) (N/A if agency is exempt from this standard.)	yes
	If the agency claims the maximum allowable extension of time to respond of up to 70 days per 115.52(d)(3) when the normal time period for response is insufficient to make an appropriate decision, does the agency notify the inmate in writing of any such extension and provide a date by which a decision will be made? (N/A if agency is exempt from this standard.)	yes
	At any level of the administrative process, including the final level, if the inmate does not receive a response within the time allotted for reply, including any properly noticed extension, may an inmate consider the absence of a response to be a denial at that level? (N/A if agency is exempt from this standard.)	yes
115.52 (e)	Exhaustion of administrative remedies	
	Are third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Are those third parties also permitted to file such requests on behalf of inmates? (If a third party files such a request on behalf of an inmate, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his or her behalf, and may also require the alleged victim to personally pursue any subsequent steps in the administrative remedy process.) (N/A if agency is exempt from this standard.)	yes
	If the inmate declines to have the request processed on his or her behalf, does the agency document the inmate's decision? (N/A if agency is exempt from this standard.)	yes
115.52 (f)	Exhaustion of administrative remedies	
	Has the agency established procedures for the filing of an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse, does the agency immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to a level of review at which immediate corrective action may be taken? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency provide an initial response within 48 hours? (N/A if agency is exempt from this standard.)	yes
	After receiving an emergency grievance described above, does the agency issue a final agency decision within 5 calendar days? (N/A if agency is exempt from this standard.)	yes
	Does the initial response and final agency decision document the agency's determination whether the inmate is in substantial risk of imminent sexual abuse? (N/A if agency is exempt from this standard.)	yes
	Does the initial response document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
	Does the agency's final decision document the agency's action(s) taken in response to the emergency grievance? (N/A if agency is exempt from this standard.)	yes
115.52 (g)	Exhaustion of administrative remedies	
	If the agency disciplines an inmate for filing a grievance related to alleged sexual abuse, does it do so ONLY where the agency demonstrates that the inmate filed the grievance in bad faith? (N/A if agency is exempt from this standard.)	yes

115.53 (a)	Inmate access to outside confidential support services	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers, including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	na
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
115.53 (b)	Inmate access to outside confidential support services	
	Does the facility inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws?	yes
115.53 (c)	Inmate access to outside confidential support services	
	Does the agency maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse?	yes
	Does the agency maintain copies of agreements or documentation showing attempts to enter into such agreements?	yes
115.54 (a)	Third-party reporting	
	Has the agency established a method to receive third-party reports of sexual abuse and sexual harassment?	yes
	Has the agency distributed publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate?	yes
115.61 (a)	Staff and agency reporting duties	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual abuse or sexual harassment or retaliation?	yes
115.61 (b)	Staff and agency reporting duties	
	Apart from reporting to designated supervisors or officials, does staff always refrain from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation, and other security and management decisions?	yes

115.61 (c)	Staff and agency reporting duties	
	Unless otherwise precluded by Federal, State, or local law, are medical and mental health practitioners required to report sexual abuse pursuant to paragraph (a) of this section?	yes
	Are medical and mental health practitioners required to inform inmates of the practitioner's duty to report, and the limitations of confidentiality, at the initiation of services?	yes
115.61 (d)	Staff and agency reporting duties	
	If the alleged victim is under the age of 18 or considered a vulnerable adult under a State or local vulnerable persons statute, does the agency report the allegation to the designated State or local services agency under applicable mandatory reporting laws?	yes
115.61 (e)	Staff and agency reporting duties	
	Does the facility report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the facility's designated investigators?	yes
115.62 (a)	Agency protection duties	
	When the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, does it take immediate action to protect the inmate?	yes
115.63 (a)	Reporting to other confinement facilities	
	Upon receiving an allegation that an inmate was sexually abused while confined at another facility, does the head of the facility that received the allegation notify the head of the facility or appropriate office of the agency where the alleged abuse occurred?	yes
115.63 (b)	Reporting to other confinement facilities	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes
115.63 (c)	Reporting to other confinement facilities	
	Does the agency document that it has provided such notification?	yes
115.63 (d)	Reporting to other confinement facilities	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
115.64 (a)	Staff first responder duties	
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Separate the alleged victim and abuser?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes
	Upon learning of an allegation that an inmate was sexually abused, is the first security staff member to respond to the report required to: Ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence?	yes

115.64 (b)	Staff first responder duties	
	If the first staff responder is not a security staff member, is the responder required to request that the alleged victim not take any actions that could destroy physical evidence, and then notify security staff?	yes
115.65 (a)	Coordinated response	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in response to an incident of sexual abuse?	yes
115.66 (a)	Preservation of ability to protect inmates from contact with abusers	
	Are both the agency and any other governmental entities responsible for collective bargaining on the agency's behalf prohibited from entering into or renewing any collective bargaining agreement or other agreement that limit the agency's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted?	yes
115.67 (a)	Agency protection against retaliation	
	Has the agency established a policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff?	yes
	Has the agency designated which staff members or departments are charged with monitoring retaliation?	yes
115.67 (b)	Agency protection against retaliation	
	Does the agency employ multiple protection measures, such as housing changes or transfers for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations?	yes

115.67 (c)	Agency protection against retaliation	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
115.67 (d)	Agency protection against retaliation	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
115.67 (e)	Agency protection against retaliation	
	If any other individual who cooperates with an investigation expresses a fear of retaliation, does the agency take appropriate measures to protect that individual against retaliation?	yes
115.68 (a)	Post-allegation protective custody	
	Is any and all use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse subject to the requirements of § 115.43?	yes
115.71 (a)	Criminal and administrative agency investigations	
	When the agency conducts its own investigations into allegations of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes

115.71 (b)	Criminal and administrative agency investigations	
	Where sexual abuse is alleged, does the agency use investigators who have received specialized training in sexual abuse investigations as required by 115.34?	yes
115.71 (c)	Criminal and administrative agency investigations	
	Do investigators gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data?	yes
	Do investigators interview alleged victims, suspected perpetrators, and witnesses?	yes
	Do investigators review prior reports and complaints of sexual abuse involving the suspected perpetrator?	yes
115.71 (d)	Criminal and administrative agency investigations	
	When the quality of evidence appears to support criminal prosecution, does the agency conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution?	yes
115.71 (e)	Criminal and administrative agency investigations	
	Do agency investigators assess the credibility of an alleged victim, suspect, or witness on an individual basis and not on the basis of that individual's status as inmate or staff?	yes
	Does the agency investigate allegations of sexual abuse without requiring an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding?	yes
115.71 (f)	Criminal and administrative agency investigations	
	Do administrative investigations include an effort to determine whether staff actions or failures to act contributed to the abuse?	yes
	Are administrative investigations documented in written reports that include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings?	yes
115.71 (g)	Criminal and administrative agency investigations	
	Are criminal investigations documented in a written report that contains a thorough description of the physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible?	yes
115.71 (h)	Criminal and administrative agency investigations	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
115.71 (i)	Criminal and administrative agency investigations	
	Does the agency retain all written reports referenced in 115.71(f) and (g) for as long as the alleged abuser is incarcerated or employed by the agency, plus five years?	yes
115.71 (j)	Criminal and administrative agency investigations	
	Does the agency ensure that the departure of an alleged abuser or victim from the employment or control of the agency does not provide a basis for terminating an investigation?	yes
115.71 (l)	Criminal and administrative agency investigations	
	When an outside entity investigates sexual abuse, does the facility cooperate with outside investigators and endeavor to remain informed about the progress of the investigation? (N/A if an outside agency does not conduct administrative or criminal sexual abuse investigations. See 115.21(a).)	yes

115.72 (a)	Evidentiary standard for administrative investigations	
	Is it true that the agency does not impose a standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated?	yes
115.73 (a)	Reporting to inmates	
	Following an investigation into an inmate's allegation that he or she suffered sexual abuse in an agency facility, does the agency inform the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded?	yes
115.73 (b)	Reporting to inmates	
	If the agency did not conduct the investigation into an inmate's allegation of sexual abuse in an agency facility, does the agency request the relevant information from the investigative agency in order to inform the inmate? (N/A if the agency/facility is responsible for conducting administrative and criminal investigations.)	yes
115.73 (c)	Reporting to inmates	
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the inmate has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer posted within the inmate's unit?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The staff member is no longer employed at the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been indicted on a charge related to sexual abuse in the facility?	yes
	Following an inmate's allegation that a staff member has committed sexual abuse against the resident, unless the agency has determined that the allegation is unfounded, or unless the resident has been released from custody, does the agency subsequently inform the resident whenever: The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (d)	Reporting to inmates	
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility?	yes
	Following an inmate's allegation that he or she has been sexually abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	yes
115.73 (e)	Reporting to inmates	
	Does the agency document all such notifications or attempted notifications?	yes
115.76 (a)	Disciplinary sanctions for staff	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
115.76 (b)	Disciplinary sanctions for staff	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes

115.76 (c)	Disciplinary sanctions for staff	
	Are disciplinary sanctions for violations of agency policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories?	yes
115.76 (d)	Disciplinary sanctions for staff	
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Law enforcement agencies(unless the activity was clearly not criminal)?	yes
	Are all terminations for violations of agency sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, reported to: Relevant licensing bodies?	yes
115.77 (a)	Corrective action for contractors and volunteers	
	Is any contractor or volunteer who engages in sexual abuse prohibited from contact with inmates?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Law enforcement agencies (unless the activity was clearly not criminal)?	yes
	Is any contractor or volunteer who engages in sexual abuse reported to: Relevant licensing bodies?	yes
115.77 (b)	Corrective action for contractors and volunteers	
	In the case of any other violation of agency sexual abuse or sexual harassment policies by a contractor or volunteer, does the facility take appropriate remedial measures, and consider whether to prohibit further contact with inmates?	yes
115.78 (a)	Disciplinary sanctions for inmates	
	Following an administrative finding that an inmate engaged in inmate-on-inmate sexual abuse, or following a criminal finding of guilt for inmate-on-inmate sexual abuse, are inmates subject to disciplinary sanctions pursuant to a formal disciplinary process?	yes
115.78 (b)	Disciplinary sanctions for inmates	
	Are sanctions commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories?	yes
115.78 (c)	Disciplinary sanctions for inmates	
	When determining what types of sanction, if any, should be imposed, does the disciplinary process consider whether an inmate's mental disabilities or mental illness contributed to his or her behavior?	yes
115.78 (d)	Disciplinary sanctions for inmates	
	If the facility offers therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, does the facility consider whether to require the offending inmate to participate in such interventions as a condition of access to programming and other benefits?	yes
115.78 (e)	Disciplinary sanctions for inmates	
	Does the agency discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact?	yes

115.78 (f)	Disciplinary sanctions for inmates	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation?	yes
115.78 (g)	Disciplinary sanctions for inmates	
	If the agency prohibits all sexual activity between inmates, does the agency always refrain from considering non-coercive sexual activity between inmates to be sexual abuse? (N/A if the agency does not prohibit all sexual activity between inmates.)	yes
115.81 (a)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison).	na
115.81 (b)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a prison inmate has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a prison.)	na
115.81 (c)	Medical and mental health screenings; history of sexual abuse	
	If the screening pursuant to § 115.41 indicates that a jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, do staff ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening? (N/A if the facility is not a jail).	yes
115.81 (d)	Medical and mental health screenings; history of sexual abuse	
	Is any information related to sexual victimization or abusiveness that occurred in an institutional setting strictly limited to medical and mental health practitioners and other staff as necessary to inform treatment plans and security management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law?	yes
115.81 (e)	Medical and mental health screenings; history of sexual abuse	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior 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.)	na
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.)	na
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes
115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na
115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes

115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes
115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	yes
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	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?	no
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?	no
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

115.401 (b)	Frequency and scope of audits	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	yes
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	na
115.401 (h)	Frequency and scope of audits	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
115.401 (i)	Frequency and scope of audits	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
115.401 (m)	Frequency and scope of audits	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
115.401 (n)	Frequency and scope of audits	
	Were inmates permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel?	yes
115.403 (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. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes