

PREA Facility Audit Report: Final

Name of Facility: Minnehaha County Jail

Facility Type: Prison / Jail

Date Interim Report Submitted: 11/03/2022

Date Final Report Submitted: 12/12/2022

Auditor Certification	
The contents of this report are accurate to the best of my knowledge.	<input type="checkbox"/>
No conflict of interest exists with respect to my ability to conduct an audit of the agency under review.	<input type="checkbox"/>
I have not included in the final report any personally identifiable information (PII) about any inmate/resident/detainee or staff member, except where the names of administrative personnel are specifically requested in the report template.	<input type="checkbox"/>
Auditor Full Name as Signed: Chris Sweney	Date of Signature: 12/12/2022

AUDITOR INFORMATION	
Auditor name:	Sweney, Chris
Email:	csweney.prea@gmail.com
Start Date of On-Site Audit:	10/03/2022
End Date of On-Site Audit:	10/04/2022

FACILITY INFORMATION	
Facility name:	Minnehaha County Jail
Facility physical address:	305 West 4th Street , Sioux Falls , South Dakota - 57104
Facility mailing address:	305 W 4th St, Sioux Falls, South Dakota - 57104

Primary Contact	
Name:	Sgt Matt Aanenson
Email Address:	maanenson@minnehahacounty.org
Telephone Number:	6059785501

Warden/Jail Administrator/Sheriff/Director	
Name:	Michael Mattson
Email Address:	mmattson@minnehahacounty.org
Telephone Number:	6059785503

Facility PREA Compliance Manager	
Name:	Matthew Aanenson
Email Address:	maanenson@minnehahacounty.org
Telephone Number:	O: 605-978-5501

Facility Health Service Administrator On-site	
Name:	Alicia Luther
Email Address:	aluther@minnehahacounty.org
Telephone Number:	6059785512

Facility Characteristics	
Designed facility capacity:	750
Current population of facility:	477
Average daily population for the past 12 months:	530
Has the facility been over capacity at any point in the past 12 months?	No
Which population(s) does the facility hold?	Both females and males
Age range of population:	Adult 18-85
Facility security levels/inmate custody levels:	Minimum, Low, Medium and Maximum
Does the facility hold youthful inmates?	Yes
Number of staff currently employed at the facility who may have contact with inmates:	156
Number of individual contractors who have contact with inmates, currently authorized to enter the facility:	53
Number of volunteers who have contact with inmates, currently authorized to enter the facility:	65

AGENCY INFORMATION	
Name of agency:	Minnehaha County Sheriff's Office
Governing authority or parent agency (if applicable):	
Physical Address:	320 West 4th Street , Sioux Falls , South Dakota - 57104
Mailing Address:	
Telephone number:	

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

Agency-Wide PREA Coordinator Information			
Name:	Mike Mattson	Email Address:	mmattson@minnehahacounty.org

SUMMARY OF AUDIT FINDINGS

The OAS automatically populates the number and list of Standards exceeded, the number of Standards met, and the number and list of Standards not met.

Auditor Note: In general, no standards should be found to be "Not Applicable" or "NA." A compliance determination must be made for each standard. In rare instances where an auditor determines that a standard is not applicable, the auditor should select "Meets Standard" and include a comprehensive discussion as to why the standard is not applicable to the facility being audited.

Number of standards exceeded:	
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4	<ul style="list-style-type: none"> • 115.31 - Employee training • 115.33 - Inmate education • 115.35 - Specialized training: Medical and mental health care • 115.41 - Screening for risk of victimization and abusiveness
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Number of standards met:

41

Number of standards not met:

0

POST-AUDIT REPORTING INFORMATION

GENERAL AUDIT INFORMATION

On-site Audit Dates

1. Start date of the onsite portion of the audit:	2022-10-03
2. End date of the onsite portion of the audit:	2022-10-04

Outreach

10. Did you attempt to communicate with community-based organization(s) or victim advocates who provide services to this facility and/or who may have insight into relevant conditions in the facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Identify the community-based organization(s) or victim advocates with whom you communicated:	The Compass Center - (605) 339-0116 https://thecompasscenter.org/who-we-are/the-compass-center/

AUDITED FACILITY INFORMATION

14. Designated facility capacity:	750
15. Average daily population for the past 12 months:	530
16. Number of inmate/resident/detainee housing units:	23
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Applicable for the facility type audited (i.e., Community Confinement Facility or Juvenile Facility)

Audited Facility Population Characteristics on Day One of the Onsite Portion of the Audit

Inmates/Residents/Detainees Population Characteristics on Day One of the Onsite Portion of the Audit

36. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:	571
37. Enter the total number of youthful inmates or youthful/juvenile detainees in the facility as of the first day of the onsite portion of the audit:	0
38. Enter the total number of inmates/residents/detainees with a physical disability in the facility as of the first day of the onsite portion of the audit:	5
39. Enter the total number of inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) in the facility as of the first day of the onsite portion of the audit:	8
40. Enter the total number of inmates/residents/detainees who are Blind or have low vision (visually impaired) in the facility as of the first day of the onsite portion of the audit:	0
41. Enter the total number of inmates/residents/detainees who are Deaf or hard-of-hearing in the facility as of the first day of the onsite portion of the audit:	0
42. Enter the total number of inmates/residents/detainees who are Limited English Proficient (LEP) in the facility as of the first day of the onsite portion of the audit:	1

<p>43. Enter the total number of inmates/residents/detainees who identify as lesbian, gay, or bisexual in the facility as of the first day of the onsite portion of the audit:</p>	<p>8</p>
<p>44. Enter the total number of inmates/residents/detainees who identify as transgender or intersex in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>45. Enter the total number of inmates/residents/detainees who reported sexual abuse in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>46. Enter the total number of inmates/residents/detainees who disclosed prior sexual victimization during risk screening in the facility as of the first day of the onsite portion of the audit:</p>	<p>1</p>
<p>47. Enter the total number of inmates/residents/detainees who were ever placed in segregated housing/isolation for risk of sexual victimization in the facility as of the first day of the onsite portion of the audit:</p>	<p>0</p>
<p>48. Provide any additional comments regarding the population characteristics of inmates/residents/detainees in the facility as of the first day of the onsite portion of the audit (e.g., groups not tracked, issues with identifying certain populations):</p>	<p>No text provided.</p>
<p>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</p>	
<p>49. Enter the total number of STAFF, including both full- and part-time staff, employed by the facility as of the first day of the onsite portion of the audit:</p>	<p>156</p>

<p>50. Enter the total number of VOLUNTEERS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>5</p>
<p>51. Enter the total number of CONTRACTORS assigned to the facility as of the first day of the onsite portion of the audit who have contact with inmates/residents/detainees:</p>	<p>18</p>
<p>52. Provide any additional comments regarding the population characteristics of staff, volunteers, and contractors who were in the facility as of the first day of the onsite portion of the audit:</p>	<p>No text provided.</p>

INTERVIEWS

Inmate/Resident/Detainee Interviews

Random Inmate/Resident/Detainee Interviews

<p>53. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>23</p>
<p>54. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</p>	<p> <input type="checkbox"/> Age <input checked="" type="checkbox"/> Race <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic) <input type="checkbox"/> Length of time in the facility <input checked="" type="checkbox"/> Housing assignment <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Other <input type="checkbox"/> None </p>

<p>55. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</p>	<p>The auditor conducted interviews with random and targeted inmates. The inmate population on the first day of the onsite review was 571. All reasonable efforts were made to conduct the required number of targeted inmate interviews. The auditor selected additional inmates from the available targeted populations and increased the number of random inmate interviews to ensure that the appropriate numbers of inmates were interviewed. There was a total of 30 formal inmate interviews conducted. The auditor selected inmates randomly by using a full roster provided at the beginning of the on-site review. Interviews were conducted with at least one inmate for each living area of the facility and included both male and female inmates.</p>
<p>56. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>57. Provide any additional comments regarding selecting or interviewing random inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</p>	<p>No text provided.</p>
<p>Targeted Inmate/Resident/Detainee Interviews</p>	
<p>58. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</p>	<p>9</p>

As stated in the PREA Auditor Handbook, the breakdown of targeted interviews is intended to guide auditors in interviewing the appropriate cross-section of inmates/residents/detainees who are the most vulnerable to sexual abuse and sexual harassment. When completing questions regarding targeted inmate/resident/detainee interviews below, remember that an interview with one inmate/resident/detainee may satisfy multiple targeted interview requirements. These questions are asking about the number of interviews conducted using the targeted inmate/resident/detainee protocols. For example, if an auditor interviews an inmate who has a physical disability, is being held in segregated housing due to risk of sexual victimization, and disclosed prior sexual victimization, that interview would be included in the totals for each of those questions. Therefore, in most cases, the sum of all the following responses to the targeted inmate/resident/detainee interview categories will exceed the total number of targeted inmates/residents/detainees who were interviewed. If a particular targeted population is not applicable in the audited facility, enter "0".

<p>59. Enter the total number of interviews conducted with youthful inmates or youthful/juvenile detainees using the "Youthful Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/detainees.</p> <p><input type="checkbox"/> The inmates/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/detainees).</p>	<p>The facility reported no youthful inmates were at the facility. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</p>
<p>60. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>

<p>61. Enter the total number of interviews conducted with inmates/residents/detainees with a cognitive or functional disability (including intellectual disability, psychiatric disability, or speech disability) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>62. Enter the total number of interviews conducted with inmates/residents/detainees who are Blind or have low vision (i.e., visually impaired) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates who are Blind or have low vision. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</p>
<p>63. Enter the total number of interviews conducted with inmates/residents/detainees who are Deaf or hard-of-hearing using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates who are Deaf or hard-of-hearing. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</p>
<p>64. Enter the total number of interviews conducted with inmates/residents/detainees who are Limited English Proficient (LEP) using the "Disabled and Limited English Proficient Inmates" protocol:</p>	<p>1</p>
<p>65. Enter the total number of interviews conducted with inmates/residents/detainees who identify as lesbian, gay, or bisexual using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>2</p>
<p>66. Enter the total number of interviews conducted with inmates/residents/detainees who identify as transgender or intersex using the "Transgender and Intersex Inmates; Gay, Lesbian, and Bisexual Inmates" protocol:</p>	<p>1</p>
<p>67. Enter the total number of interviews conducted with inmates/residents/detainees who reported sexual abuse in this facility using the "Inmates who Reported a Sexual Abuse" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>

<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported there were no Inmates currently in the facility who reported sexual abuse during the audit period. This was verified during the tour of the facility and confirmed during staff interviews and investigation reports.</p>
<p>68. Enter the total number of interviews conducted with inmates/residents/detainees who disclosed prior sexual victimization during risk screening using the "Inmates who Disclosed Sexual Victimization during Risk Screening" protocol:</p>	<p>2</p>
<p>69. Enter the total number of interviews conducted with inmates/residents/detainees who are or were ever placed in segregated housing/isolation for risk of sexual victimization using the "Inmates Placed in Segregated Housing (for Risk of Sexual Victimization/Who Allege to have Suffered Sexual Abuse)" protocol:</p>	<p>0</p>
<p>a. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</p>	<p><input checked="" type="checkbox"/> Facility said there were "none here" during the onsite portion of the audit and/or the facility was unable to provide a list of these inmates/residents/detainees.</p> <p><input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p>b. Discuss your corroboration strategies to determine if this population exists in the audited facility (e.g., based on information obtained from the PAQ; documentation reviewed onsite; and discussions with staff and other inmates/residents/detainees).</p>	<p>The facility reported no Inmates who were placed in segregated housing/isolation for risk of sexual victimization. This was verified during the tour of the facility and confirmed during staff and inmate interviews.</p>

70. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):	No text provided.
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Staff, Volunteer, and Contractor Interviews

Random Staff Interviews

71. Enter the total number of RANDOM STAFF who were interviewed:	10
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72. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)	<input type="checkbox"/> Length of tenure in the facility <input checked="" type="checkbox"/> Shift assignment <input checked="" type="checkbox"/> Work assignment <input checked="" type="checkbox"/> Rank (or equivalent) <input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken) <input type="checkbox"/> None
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73. Were you able to conduct the minimum number of RANDOM STAFF interviews?	<input checked="" type="radio"/> Yes <input type="radio"/> No
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74. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):	No text provided.
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Specialized Staff, Volunteers, and Contractor Interviews

Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.

75. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):	9
76. Were you able to interview the Agency Head?	<input checked="" type="radio"/> Yes <input type="radio"/> No
77. Were you able to interview the Warden/Facility Director/Superintendent or their designee?	<input checked="" type="radio"/> Yes <input type="radio"/> No
78. Were you able to interview the PREA Coordinator?	<input checked="" type="radio"/> Yes <input type="radio"/> No
79. Were you able to interview the PREA Compliance Manager?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if the agency is a single facility agency or is otherwise not required to have a PREA Compliance Manager per the Standards)

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

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

	<input checked="" type="checkbox"/> Intake staff <input type="checkbox"/> Other
81. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?	<input type="radio"/> Yes <input checked="" type="radio"/> No
82. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?	<input checked="" type="radio"/> Yes <input type="radio"/> No
a. Enter the total number of CONTRACTORS who were interviewed:	2
b. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input checked="" type="checkbox"/> Medical/dental <input type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input checked="" type="checkbox"/> Other
83. Provide any additional comments regarding selecting or interviewing specialized staff.	No text provided.

SITE REVIEW AND DOCUMENTATION SAMPLING

Site Review

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

84. Did you have access to all areas of the facility?

Yes

No

Was the site review an active, inquiring process that included the following:

85. Observations of all facility practices in accordance with the site review component of the audit instrument (e.g., signage, supervision practices, cross-gender viewing and searches)?

Yes

No

86. Tests of all critical functions in the facility in accordance with the site review component of the audit instrument (e.g., risk screening process, access to outside emotional support services, interpretation services)?

Yes

No

87. Informal conversations with inmates/residents/detainees during the site review (encouraged, not required)?

Yes

No

<p>88. Informal conversations with staff during the site review (encouraged, not required)?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>89. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</p>	<p>No text provided.</p>

Documentation Sampling

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

<p>90. In addition to the proof documentation selected by the agency or facility and provided to you, did you also conduct an auditor-selected sampling of documentation?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p>
<p>91. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</p>	<p>No text provided.</p>

SEXUAL ABUSE AND SEXUAL HARASSMENT ALLEGATIONS AND INVESTIGATIONS IN THIS FACILITY

Sexual Abuse and Sexual Harassment Allegations and Investigations Overview

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

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

	# of sexual abuse allegations	# of criminal investigations	# of administrative investigations	# of allegations that had both criminal and administrative investigations
Inmate-on-inmate sexual abuse	7	2	5	2
Staff-on-inmate sexual abuse	0	0	0	0
Total	7	2	5	2

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

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

Sexual Abuse and Sexual Harassment Investigation Outcomes

Sexual Abuse Investigation Outcomes

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

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

	Ongoing	Referred for Prosecution	Indicted/ Court Case Filed	Convicted/ Adjudicated	Acquitted
Inmate-on-inmate sexual abuse	0	2	0	0	0
Staff-on-inmate sexual abuse	0	0	0	0	0
Total	0	2	0	0	0

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
Inmate-on-inmate sexual abuse	0	2	3	2
Staff-on-inmate sexual abuse	0	0	0	0
Total	0	2	3	2

Sexual Harassment Investigation Outcomes

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

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

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

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

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

Sexual Abuse and Sexual Harassment Investigation Files Selected for Review

Sexual Abuse Investigation Files Selected for Review

98. Enter the total number of SEXUAL ABUSE investigation files reviewed/sampled:	7
99. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)
Inmate-on-inmate sexual abuse investigation files	
100. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	7
101. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)
102. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual abuse investigation files)

Staff-on-inmate sexual abuse investigation files

103. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:	0
104. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)
105. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual abuse investigation files)

Sexual Harassment Investigation Files Selected for Review

106. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:	2
107. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)

Inmate-on-inmate sexual harassment investigation files

108. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:	2
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<p>109. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>110. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any inmate-on-inmate sexual harassment investigation files)</p>
<p>Staff-on-inmate sexual harassment investigation files</p>	
<p>111. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</p>	<p>0</p>
<p>112. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>
<p>113. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</p>	<p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input checked="" type="radio"/> NA (NA if you were unable to review any staff-on-inmate sexual harassment investigation files)</p>

<p>114. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</p>	<p>No text provided.</p>
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SUPPORT STAFF INFORMATION

DOJ-certified PREA Auditors Support Staff

<p>115. Did you receive assistance from any DOJ-CERTIFIED PREA AUDITORS at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
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Non-certified Support Staff

<p>116. Did you receive assistance from any NON-CERTIFIED SUPPORT STAFF at any point during this audit? REMEMBER: the audit includes all activities from the pre-onsite through the post-onsite phases to the submission of the final report. Make sure you respond accordingly.</p>	<p> <input type="radio"/> Yes <input checked="" type="radio"/> No </p>
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AUDITING ARRANGEMENTS AND COMPENSATION

<p>121. Who paid you to conduct this audit?</p>	<p> <input checked="" type="radio"/> The audited facility or its parent agency <input type="radio"/> My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option) <input type="radio"/> A third-party auditing entity (e.g., accreditation body, consulting firm) <input type="radio"/> Other </p>
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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.

<p>115.11</p>	<p>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment 3. MCJ - PREA Coordinator and PREA Compliance Manager Assigned Duties Memo 4. MCJ - Sheriff’s Office Organizational Chart <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <p>(a) Minnehaha County Jail (MCJ) has a written policy (PREA Compliance with Prison Rape Elimination Act Standards) mandating zero tolerance relating to sexual assault and sexual harassment.</p> <p><i>“The Minnehaha County Jail maintains a zero-tolerance policy for any type of sexual misconduct or activity between inmates housed in the Minnehaha County Jail and between inmates and all staff, volunteers, contractors, professional visitors, and any other person having contact with inmates housed in the Jail. SDCL 22-22-7.6 specifies that sexual acts between any person employed at a Jail and any inmate is a class 6 felony. Any allegations made by an inmate(s) will be immediately and thoroughly investigated. Consent of the inmate is not a defense. Any allegation of sexual misconduct, abuse, or assault between inmates will be immediately and thoroughly investigated. Criminal action will be initiated if warranted.”</i></p> <p>The written policy (PREA Compliance with Prison Rape Elimination Act Standards) discusses the agency’s approach to training employees, volunteers and contractors preventing, detecting, and responding to sexual abuse and sexual harassment. The policy also addresses staff’s duty to report.</p> <p><i>“Staff are required to immediately report any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a MCJ facility, retaliation against inmates or staff who reported such an incident; and any staff neglect or violation of responsibilities that may have contributed to an incident</i></p>
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or retaliation. If a staff member does not report it, they may be subject to disciplinary action, including termination of employment.”

MCJ policy (PREA Compliance with Prison Rape Elimination Act Standards) also addresses inmate orientation and education during the booking and classification process where they receive their initial PREA information. The information includes the agencies sexual assault policy, prevention and intervention, self-protection, reporting sexual abuse and treatment and counseling.

(b) The agency has a designated PREA Coordinator (Warden) who reports directly to the Chief Deputy. During his interview, he stated that he has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

(c) The MCJ operates one facility, but does have a designated PREA Compliance Manager who is responsible for day to day compliance with the PREA standards and reports directly to the Warden. During his interview, he stated that he has sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.12	Contracting with other entities for the confinement of inmates
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1474 416">Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="256 456 700 492" style="list-style-type: none"> 1. MCJ Pre-Audit Questionnaire <p data-bbox="256 528 416 564">Interviews:</p> <ol data-bbox="256 600 831 703" style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) <p data-bbox="256 739 628 775">Site Review Observations:</p> <p data-bbox="256 810 995 846">Observations during on-site review of physical plant</p> <p data-bbox="256 882 1465 1003">(a) Auditor was provided documentation and confirmed during the Warden (PREA Coordinator) interview that the MCJ does not contract with any other county or entity including other government agencies for housing.</p> <p data-bbox="256 1039 1465 1160">(b) Auditor was provided documentation and confirmed during the Warden (PREA Coordinator) interview that the MCJ does not contract with any other county or entity including other government agencies for housing.</p> <p data-bbox="256 1196 1445 1272">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.13	Supervision and monitoring
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - Jail Division Staffing Plan 2. MCJ Facility Staffing Plan - 2019, 2020, 2021 3. MCJ Policy - Command Level Inspections 4. MCJ Shift Supervisor Post Orders 5. Walk Through Report - Command Staff/Supervisor <p>Interviews</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Lieutenant Interview 4. Shift Sgt. Interviews 5. Random Staff Interviews 6. Random Inmate Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ has a policy (Jail Division Staffing Plan) that requires the development of a staffing plan which has adopted generally accepted detention and correctional practices. Staffing plans are reviewed annually and changes are made as necessary. South Dakota State statute mandates that female staff is on duty at all times. There have been no judicial findings of inadequacy nor have there been any findings of inadequacy from Federal investigative agencies. The MCJ has not received any findings of inadequacy from internal or external oversight bodies. The MCJ conducts an annual risk assessment which includes a review of blind spots within the facility. The information is used to determine where additional supervision is necessary, where supervisory coverage is necessary and where additional cameras may be needed. The MCJ monitors the composition of the inmate population on a daily basis and uses this information to justify staffing for coverage of male, female and special population inmates. The MCJ requires supervisors to visit each housing unit at least once per shift.</p>

(b) The MCJ does not deviate from the staffing plan. This was discussed and confirmed during the interview with the PREA Coordinator.

(c) The MCJ has not deviated from the staffing plan in the last 12 months.

(d) The MCJ PREA Policy and Shift Supervisor Post Order requires unannounced rounds on each shift. Additionally, Lieutenants are required to conduct weekly rounds and the Warden tours all areas of the facility at least once per month. MCJ policy (Command Level Inspections) states *“Staff will refrain from notifying other staff that the inspection is taking place.”* The MCJ provided *Walk Through Reports* which are logged in their Jail Management System (JMS) with the pre-audit documentation which shows this is a consistent and continuous practice.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.14	<p>Youthful inmates</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy – Juveniles 2. MCJ Population Report <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) <p>Site Review Observations:</p> <ol style="list-style-type: none"> 1. Observations during on-site review of physical plant <ul style="list-style-type: none"> (a) The MCJ may house youthful inmates sixteen or older committing a Class A, Class B, Class 1 or Class 2 felonies. MCJ has space and ability to insure they are separated by sight, sound, and physical contact with adult inmates including dayrooms, other common spaces, shower areas, and sleeping quarters. (b) The MCJ maintains sight and sound separation in areas outside of housing units. The MCJ provides direct staff supervision when youthful and adult inmates may be in the same area. (c) The MCJ avoids placing youthful inmates in isolation as a general practice. Youthful inmates are provided daily exercise and legally required special education services and have access to other programs when available. <p>During the onsite visit there were no youthful inmates confined at the MCJ.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.15	Limits to cross-gender viewing and searches
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - Inmate Pat, Screen, Strip and Property Searches 2. MCJ Policy - LGBTI and Gender Non-Conforming Inmate Management 3. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 4. MCJ Training - Guidance in Cross-Gender and Transgender Pat Searches 5. MCJ Training Lesson Plan - Prison Rape Elimination Act (PREA) 6. MCJ Training - Respectful Classification Practices with LGBTI Inmates 7. MCJ Training - Compliance and Management of the Sexually Abused Inmate 8. Staff Training Reports <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Compliance Manager (Sgt.) 2. Random Staff Interviews 3. Random Inmate Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy (Inmate Pat, Screen, Strip and Property Searches) states staff will not conduct cross-gender strip searches or cross gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners. Per policy, all cross-gender searches will be documented. During the random staff interviews it was reiterated that they have not conducted cross-gender strip searches or cross gender visual body cavity searches. Random inmate interviews also confirmed they have not been strip searched or received a visual body cavity search by a staff member of the opposite sex.</p> <p>(b) Interviews with random female inmates stated that “pat searches are always conducted by female staff and they have access to regularly available programming which includes out of cell opportunities”. During the on-site there was a number of female staff available to conduct searches. A minimum of one female staff member is assigned to the facility at all times.</p>

(c) The facility documents all strip searches however MCJ policy states staff will not conduct cross-gender strip searches or cross gender visual body cavity searches except in exigent circumstances or when performed by medical practitioners.

(d) MCJ policy (PREA Compliance with Prison Rape Elimination Act Standards) states the facility implements policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. MCJ Policy requires staff to announce their presence when entering housing units with inmates of a different gender. Staff interviews reiterated that they announce themselves or will announce staff of a different gender prior to entering the housing unit.

(e) MCJ policy (LGBTI and Gender Non-Conforming Inmate Management) states that inmates will not be searched or physically examined for the sole purpose of determining the genital status. If the inmate's genital status is unknown, the MCJ will initiate conversation with the inmate in a professional manner in a private setting in order to preserve confidentiality.

(f) MCJ policy states that unless an emergency or other special situation exists, pat searches should be conducted by staff of the same gender as the inmate. All staff is trained how to conduct searches of transgender and intersex inmates in a professional manner and in the least intrusive manner possible that is consistent with security needs.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.16	Inmates with disabilities and inmates who are limited English proficient
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - Obtaining Interpreter Services 2. MCJ Policy - TDD Phone 3. MCJ - PREA Brochure (English/Spanish) 4. MCJ - PREA Posters (English/Spanish) 5. ICE PREA Poster (English/Spanish) <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Compliance Manager (Sgt.) 2. Random Staff Interviews 3. Random Inmate Interviews 4. Targeted Inmate Interview <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) As previously stated, Minnehaha County Jail (MCJ) has a written policy, mandating zero tolerance relating to sexual abuse and sexual harassment. The MCJ takes steps to ensure that limited English-speaking inmate, inmates with disabilities, and those who have a speech disability have an equal opportunity to participate in PREA education.</p> <p>(b) The MCJ takes 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.</p> <p>(c) The MCJ refrains 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.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.17 Hiring and promotion decisions

Auditor Overall Determination: Meets Standard

Auditor Discussion

Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards
2. MCJ Policy - Background Investigations
3. MCJ Policy - Recruiting, Hiring, Selection and Training
4. MCJ Policy - Screening of Food Service Personnel
5. MCJ Policy - Volunteer Program Services/ Inmate Program Participation
6. MCJ Professional Visitor Cover Sheet
7. MCJ Volunteer Agreement
8. MEMO - Sheriff's Office Current Employee Criminal History Checks

Interviews:

1. Warden (PREA Coordinator) Interview
2. PREA Compliance Manager (Sgt.)

Site Review Observations:

Observations during on-site review of physical plant

- (a) MCJ conducts background investigations for new hires as well as for staff being considered for a promotion.
- (b) MCJ policy indicates that incidents of sexual abuse or harassment are considered when evaluating candidates for promotion.
- (c) MCJ policy states that before hiring new employees, who may have contact with inmates, the agency: consistent with Federal, State, and local law, makes its best efforts to contact any prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse.
- (d) MCJ policy requires a criminal background records check before enlisting the services of any contractor who may have contact with inmates
- (e) MCJ policy requires criminal background records checks every five years of current employees and contractors who may have contact with inmates.

(f) The MCJ asks 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

The MCJ asks 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

MCJ policy imposes upon employees a continuing affirmative duty to disclose any such misconduct.

(g) MCJ policy states material omissions regarding such misconduct, or the provision of materially false information, grounds for termination

The MCJ provides 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.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.18	Upgrades to facilities and technologies
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 558 300">Auditor Discussion</p> <p data-bbox="256 340 1474 416">Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="256 456 647 560" style="list-style-type: none"> <li data-bbox="256 456 616 492">1. MCJ Facility Diagrams <li data-bbox="256 528 647 560">2. Pre-Audit Questionnaire <p data-bbox="256 600 416 636">Interviews:</p> <ol data-bbox="256 676 847 779" style="list-style-type: none"> <li data-bbox="256 676 847 712">1. Warden (PREA Coordinator) Interview <li data-bbox="256 748 788 779">2. PREA Compliance Manager (Sgt.) <p data-bbox="256 819 628 855">Site Review Observations:</p> <p data-bbox="256 891 995 927">Observations during on-site review of physical plant</p> <p data-bbox="256 963 1382 1039">(a,b) The MCJ considers the effect of any new design, acquisition, expansion, or modification on the agency's ability to protect inmates from sexual abuse.</p> <p data-bbox="256 1075 1350 1151">Protection of inmates from sexual abuse through the installation of electronic surveillance and other technology is continuously evaluated.</p> <p data-bbox="256 1187 1442 1263">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.21	Evidence protocol and forensic medical examinations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment 2. MOU - The Compass Center <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) The MCJ is responsible for administrative investigations and follows a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence. All criminal investigations are referred to the Minnehaha County Sheriff's Office (MCSO) for investigation. Random staff interviews show staff are trained and understand their responsibilities to preserve, collect and properly handle evidence.</p> <p>(b) MCJ protocol is appropriate for youth; however, the MCJ does not regularly house youthful offenders.</p> <p>(c) MCJ offers all victims of sexual abuse access to forensic medical examinations, whether at an outside facility, without financial cost, where evidentiary or medically appropriate. Interviews with the PREA Coordinator and Investigative staff reiterated that all victims of sexual abuse are offered forensic examinations. Forensic medical examinations are completed at Avera Hospital by qualified Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).</p> <p>(d) The MCJ has an MOU with The Compass Center to provide victim services. Services are offered to anyone requiring a forensic exam. The MCSO ensures these services offered,</p> <p>(e) Interviews conducted with the PREA Coordinator reiterated that victims are provide support through the forensic medical examination process and investigatory interviews or on-going emotional support, crisis intervention, and referrals for other services</p> <p>(f) This provision is Not Applicable; the MCJ is responsible for administrative investigations and refers all criminal matters to the Minnehaha County Sheriff's Office.</p>

(g) The auditor is not required to audit this provision

(h) MCJ does not provide these services internally; MCJ has an MOU with The Compass Center to provide victim services.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.22	Policies to ensure referrals of allegations for investigations
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment 2. MCJ PREA Investigation Tracking Spreadsheet 3. MCJ Website - http://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php> <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Investigative Staff Interview 4. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ ensures an administrative and/or criminal investigation is completed for all allegations of sexual abuse The PREA Compliance Manager will receive all allegations and will refer criminal investigations to the Minnehaha County Sheriff's Office to investigate. The PREA Compliance Manager is responsible for overseeing administrative investigations. Interviews conducted with the PREA Compliance Manager and Warden confirm all administrative and criminal investigations are completed as required.</p> <p>(b) MCJ has a policy and practice in place that ensures that allegations of sexual abuse or sexual harassment are referred for investigation The PREA Compliance Manager will receive all allegations and will refer criminal investigations to the Minnehaha County Sheriff's Office to investigate. The PREA Compliance Manager is responsible for overseeing administrative investigations. The PREA Compliance Manager and other staff will assist the MCSO with investigations as required.</p> <p>MCJ has its PREA Policy on their website (http://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php) stating that all inmates have the right to be safe from sexually abusive behavior. There policy discusses that jail staff will receive allegations and allegations that appear to be criminal will be investigated by the MCSO.</p> <p><i>"The Minnehaha County Jail investigates each and every allegation of sexual abuse or harassment. They will collaborate with Law Enforcement to determine if/when the</i></p>

case will be referred for prosecution. The identity of anyone making a report will remain confidential. All reports are investigated thoroughly and taken very seriously. The sharing of information pertaining to the alleged sexual abuse and identity of the victim will be limited to those who must know. Sharing information regarding the victim and/or incident shall be conducted in a manner that is in accordance with all applicable policies, state statutes, and professional licensure and ethics standards."

MCJ documents all investigations referred to the MCSO.

(c) The information on the website is clear that the MCSO will investigate allegations that may result criminal charges and the agency address and phone is provided as well.

(d,e) Auditor is not required to audit these provisions

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard

115.31	Employee training
	<p data-bbox="256 188 1015 221">Auditor Overall Determination: Exceeds Standard</p> <hr/> <p data-bbox="256 264 558 297">Auditor Discussion</p> <p data-bbox="256 340 1474 418">Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="256 454 1270 920" style="list-style-type: none"> 1. MCJ Policy – Recruiting, Hiring, Selection and Training 2. MCJ – PREA Lesson Plan 3. MCJ - Guidance in Cross-Gender and Transgender Pat Searches 4. MCJ - Respectful Classification Practices with LGBTI Inmates 5. MCJ – Compliance and Management of the Sexually Abused Inmate 6. MCJ – PREA Continuing Education Report 7. MCJ - Employee Annual Acknowledgement <p data-bbox="256 956 416 990">Interviews:</p> <ol data-bbox="256 1025 847 1205" style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Random Staff Interviews <p data-bbox="256 1240 628 1274">Site Review Observations:</p> <p data-bbox="256 1310 995 1344">Observations during on-site review of physical plant</p> <p data-bbox="256 1379 1481 1585">(a) MCJ provides all staff with training which includes their zero-tolerance policy, how to fulfill their responsibilities under agency sexual abuse and sexual harassment prevention, detection, reporting, and response policies, inmates’ right to be free from sexual abuse and sexual harassment, the right of inmates and employees to be free from retaliation for reporting abuse and all other components of this standard.</p> <p data-bbox="256 1621 1394 1742">(b) MCJ staff receives training tailored to the gender of the inmates, the facility houses male and female inmates and training records reviewed demonstrated a distinction in the training. All staff receives PREA training at least once per year.</p> <p data-bbox="256 1778 1458 1899">(c) All current employees who have contact with inmates have received training. A review of the staff training records and random staff interviews confirm training was received.</p> <p data-bbox="256 1935 1474 2056">(d) MCJ has completion reports which verify they have received the training and understand the training they have received. Upon completion of the lesson plan, staff is required to complete a test over the material. Staff interviews confirmed this</p>

process.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.32	Volunteer and contractor training
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ - PREA Policy Training and Acknowledgement <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Contract Medical Staff 4. Contract Food Service <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ ensures 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. All volunteers and contractors are provided information based on the level of services they provide and the level of contact that they will have with the inmates. Interviews conducted confirmed that volunteers and contractors received this information prior to entering the facility.</p> <p>(b) During the onsite audit it was found that not all contractors have been notified of the agency’s zero-tolerance policy regarding sexual abuse and harassment or how to report such incidents. Contract kitchen staff do not work directly with inmates but are in a position to see or hear about inmate abuse or harassment.</p> <p>(c) MCJ maintains documentation confirming that volunteers and contractors understand the training they have received. Upon receipt of the PREA information, volunteers and contractors are required sign and acknowledge they understand the material.</p> <p>Corrective Action:</p> <p>During the onsite audit it was found that not all contractors have been notified of the agency’s zero-tolerance policy regarding sexual abuse and harassment or how to report such incidents. Contract kitchen staff do not work directly with inmates but are in a position to see or hear about inmate abuse or harassment. Provide documentation showing kitchen staff have been provided basic PREA information.</p>

Update:

As of 11/13/2023 Minnehaha County has provided documentations showing contract staff have received PREA training.

115.33**Inmate education**

Auditor Overall Determination: Exceeds Standard

Auditor Discussion

Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ - PREA Compliance with Prison Rape Elimination Act Standards
2. MCJ - Booking Procedures
3. MCJ - Booking Card Acknowledgement
4. MCJ - Acknowledgement of Prevention of Sexual Abuse/Harassment Information
5. MCJ - PREA Posters (English/Spanish)
5. MCJ - Orientation Video/ Kiosk Information/Posters

Interviews:

1. Warden (PREA Coordinator) Interview
2. PREA Compliance Manager (Sgt.)
3. Booking Staff Interviews
4. Random Staff Interviews
5. Random Inmate Interviews

Site Review Observations:

Observations during on-site review of physical plant

(a) During intake, inmates receive and sign for information explaining the agency's zero-tolerance policy towards sexual abuse and sexual harassment. All staff is trained in the booking process including delivering PREA education to new inmates.

(b) Within 25 days, MCJ provides additional education to inmates about their rights to be free from sexual abuse and sexual harassment. The education and materials include their rights to be free from retaliation for reporting such incidents and the that cases of sexual assault will be referred to the Minnehaha County Sheriff's Office for criminal investigation and possible prosecution.

(c) All inmates receive such education, random inmate interviews confirmed inmates understood PREA education and materials that had been provided.

(d) MCJ provides inmate education in formats accessible to all inmates including those who are limited English proficient, those who are deaf, those who are visually impaired, those who are otherwise disabled and inmates who have limited reading

skills.

(e) MCJ maintains documentation of inmate participation in the PREA education in the inmate file.

(f) MCJ provides additional educational materials in the housing units in the form of posters. Random interviews and the facility tour confirmed the existence of these materials in most areas.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.34	Specialized training: Investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. National Institute of Corrections – PREA: Investigating Sexual Abuse in a Confinement Setting 2. Staff Training Records <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. PREA Investigator Interview <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) The MCJ ensures that its investigators have received training in conducting sexual abuse investigations in confinement settings; The PREA Compliance Manager is responsible for receiving all allegations of sexual abuse and sexual harassment. Based on the allegation, the PREA Compliance Manager will refer criminal investigations to the Minnehaha County Sheriff’s Office to investigate. The PREA Coordinator and Investigator interviews confirmed they have received additional training in accordance with their job responsibilities.</p> <p>(b) Specialized training includes techniques for interviewing sexual abuse victims, the proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.</p> <p>(c) The MCJ has eight PREA investigators and maintains documentation that investigators have completed the required specialized training to conduct sexual abuse investigations.</p> <p>(d) Auditor is not required to audit this provision</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.35	Specialized training: Medical and mental health care
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ - Medical Staffing Report 3. MCJ - Medical Staff Training Sign-Off Report <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Compliance Manager (Sgt.) 2. Medical Staff (HSA and DON) Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) The MCJ has full and part-time contract medical staff (Correctional Medical Management) who makes regular visits to the facility. They have been trained in how to detect and assess signs of sexual abuse and sexual harassment. The training includes; how to preserve physical evidence of sexual abuse, how to respond effectively and professionally to victims of sexual abuse and sexual harassment and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.</p> <p>All medical staff receive PREA related training from both the Minnehaha County Jail and as part of their new hire and annual curriculum through Correctional Medical Management</p> <p>(b) The portion of the standard is Not Applicable as all forensic exams are conducted at community hospitals. Staff interviews confirmed this information.</p> <p>(c) The MCJ maintains documentation that staff has received the training referenced in this standard either from the agency or elsewhere. Training records were reviewed and compliance has been met.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.41	Screening for risk of victimization and abusiveness
	Auditor Overall Determination: Exceeds Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - Booking Procedures 2. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 3. MCJ Policy - PREA Institutional Risk Screens 4. MCJ Policy - Inmate Classification 5. MCJ Policy - Formal/Informal Discipline 6. MCJ PREA Risk Screening Form <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Intake Staff Interviews 4. Random Staff Interviews 5. Random Inmate Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ assesses all inmates during admission for their risk of being sexually abused by other inmates or sexually abusive toward other inmates. The auditor observed this process during the onsite visit.</p> <p>(b) Interviews conducted with Classifications and other Random staff indicated the intake screenings are typically completed within two hours of admission but definitely take place within 72 hours of arrival at the facility. Random inmate interviews confirmed this process is being completed.</p> <p>(c) The PREA screening assessments are conducted using an objective screening tool which was verified by the auditor during the onsite visit.</p> <p>(d) The intake screening tool at the MCJ considers the following criteria to assess inmates for risk of sexual victimization: whether the inmate has a mental, physical, or developmental disability, assess inmates for risk of sexual victimization, the age of the inmate, the physical build of the inmate, whether the inmate has previously been</p>

incarcerated, whether the inmate's criminal history is exclusively nonviolent, whether the inmate has prior convictions for sex offenses against an adult or child, whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming, has previously experienced sexual victimization, the inmate's own perception of vulnerability and whether the inmate is detained solely for civil immigration purposes.

(e) When assessing inmates for risk of being sexually abusive, the MCJ initial PREA risk screening considers the following, prior acts of sexual abuse, prior convictions for violent offenses, history of prior institutional violence or sexual abuse.

(f) The MCJ has a process in place to conduct a follow up reassessment within 25 days.

(g) Additionally, the MCJ reassesses an inmate's risk level when warranted due to a: referral, request, or incident of sexual abuse and receipt of additional information that bears on the inmate's risk of sexual victimization or abusiveness.

(h) MCJ policy states that inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to the risk screening questions. Interviews conducted with staff reiterated that inmates would be not disciplined for refusing to answer the screening questions.

(i) MCJ has 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. That information is kept in a restricted area and only authorized staff can access the information.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.42	Use of screening information
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - Booking Procedures 2. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 3. MCJ Policy - PREA Institutional Risk Screens 4. MCJ Policy - Inmate Classification 5. MCJ Policy - LGBTI and Gender Non-Conforming Inmate Management 6. MCJ PREA Risk Screening Form <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Intake Staff Interviews 4. Random Staff Interviews 5. Random Inmate Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ uses 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, bed assignments, work assignments, education assignments and program assignments. Interviews with the PREA Compliance Manager and Intake staff responsible for risk screening confirmed how the risk screening is utilized.</p> <p>(b) MCJ makes individualized determinations about how to ensure the safety of each inmate based on information gathered during the risk screening. Random staff interviews confirmed that all information gathered is used to ensure the safety of each inmate.</p> <p>(c) When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, The Warden determines the inmates housing assignment after review of the inmate records, assessments and an interview with the inmate.</p>

(d) MCJ policy requires that placement and programming assignments for each transgender or intersex inmate is reassessed as needed.

(e) MCJ staff meets with transgender or intersex individuals to discuss the inmate's own views with respect to his or her own safety and will give serious consideration when making facility and housing placement decisions and programming assignments.

(f) Transgender inmates at the MCJ are given the opportunity to shower separately from other inmates.

(g) MCJ does not place lesbian, gay, bisexual, transgender, or intersex inmates in dedicated facilities, units, or wings solely on the basis of such identification or status, unless such placement is in a dedicated facility, unit, or wing established in connection with a consent decree, legal settlement, or legal judgment for the purpose of protecting such inmates. The MCJ does not have a dedicated unit or wing solely on the basis of identification or status.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.43	Protective Custody
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1474 416">Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="256 456 1275 560" style="list-style-type: none"> <li data-bbox="256 456 767 492">1. MCJ Policy - Inmate Classification <li data-bbox="256 524 1275 560">2. MCJ Policy - LGBTI and Gender Non-Conforming Inmate Management <p data-bbox="256 600 416 636">Interviews:</p> <ol data-bbox="256 676 831 779" style="list-style-type: none"> <li data-bbox="256 676 831 712">1. Warden (PREA Coordinator) Interview <li data-bbox="256 743 772 779">2. PREA Compliance Manager (Sgt.) <p data-bbox="256 819 628 855">Site Review Observations:</p> <p data-bbox="256 891 995 927">Observations during on-site review of physical plant</p> <p data-bbox="256 963 1442 1120">(a) The MCJ reported that there were no inmates placed in involuntary segregation pursuant to sexual victimization. If an inmate risk screening identifies that they are high risk, there is a referral for a mental health review. An inmate can request to be taken out of protective custody.</p> <p data-bbox="256 1155 1442 1232">(b) The Inmates placed in segregated housing have access to programs, privileges, education, and work opportunities.</p> <p data-bbox="256 1267 1474 1424">(c) The MCJ does not assign inmates at high risk of sexual victimization to involuntary segregated housing, once information is gathered from the risk screening tool an immediate referral is made to the PREA Compliance Manager to assess the inmates housing as an alternative means of separation from likely abusers.</p> <p data-bbox="256 1460 1474 1617">(d) If an inmate is requesting PC the inmate will be interviewed and their request will be documented and forwarded to the PREA Compliance Manager. The PREA Compliance Manager will review the request and document their recommendations including why alternative means of separation could not be arranged.</p> <p data-bbox="256 1653 1426 1818">(e) The MCJ has reported that there are no cases of an inmate being placed in involuntary segregation because he/she is at high risk of sexual victimization. MCJ policy states the facility reviews whether there is a continuing need for separation from the general population every 7 days.</p> <p data-bbox="256 1854 1442 1930">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.51	Inmate reporting
	<p data-bbox="256 188 983 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 297">Auditor Discussion</p> <p data-bbox="256 340 1474 416">Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="256 454 1342 772" style="list-style-type: none"> <li data-bbox="256 454 1342 488">1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards <li data-bbox="256 526 935 560">2. MCJ - Inmate Booking Card Acknowledgment <li data-bbox="256 598 496 631">3. MCJ - Website <li data-bbox="256 669 724 703">4. MOU - THE COMPASS CENTER <li data-bbox="256 741 815 775">5. Tablets and Kiosks (PREA Reporting) <p data-bbox="256 813 416 846">Interviews:</p> <ol data-bbox="256 884 831 1131" style="list-style-type: none"> <li data-bbox="256 884 831 918">1. Warden (PREA Coordinator) Interview <li data-bbox="256 956 772 990">2. PREA Compliance Manager (Sgt.) <li data-bbox="256 1028 651 1061">3. Random Staff Interviews <li data-bbox="256 1099 684 1133">4. Random Inmate Interviews <p data-bbox="256 1171 628 1205">Site Review Observations:</p> <p data-bbox="256 1243 995 1276">Observations during on-site review of physical plant</p> <p data-bbox="256 1314 1468 1516">(a) MCJ provides materials that discuss how to report sexual abuse, sexual harassment and retaliation. Inmates are provided reporting information at intake and again within the first 25 days of intake. Additional information is located on housing unit kiosks. During random staff and inmate interviews, both was able to articulate the different reporting mechanisms.</p> <p data-bbox="256 1554 1461 1668">(b) MCJ inmate handbook instructs inmates that they may contact jail staff, medical staff, a family member or the Minnehaha County Sheriff's Office to report sexual abuse and/or harassment.</p> <p data-bbox="256 1706 1437 1908">(c) MCJ accepts reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties, although the materials available to inmates are specific to sexual abuse/harassment. Staff promptly reports any verbal reports of sexual abuse. Staff interviews confirmed that they would report immediately upon learning of a sexual abuse and harassment in their answers.</p> <p data-bbox="256 1946 1468 2022">(d) MCJ policy allows staff to privately report sexual abuse and sexual harassment of inmates.</p> <p data-bbox="256 2060 1445 2094">Based upon the review and analysis of all of the available evidence, the auditor has</p>

	determined that the agency is fully compliant with this standard.
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115.52	Exhaustion of administrative remedies
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Policy - Inmate Grievance Procedure <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Compliance Manager (Sgt) 2. Corporal Interview 3. Random Staff Interviews 4. Random Inmate Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ permits Inmates to submit grievances regarding allegations of sexual abuse without any type of time limits.</p> <p>(b) MCJ does not require Inmates to use an informal grievance process, or to otherwise attempt to resolve incidents of sexual abuse.</p> <p>(c) MCJ ensures an Inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint and the grievance is not referred to the staff member who is the subject of the complaint.</p> <p>(d) MCJ issues 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, the 90-day time period does not include time consumed by Inmates in preparing any appeal. When the normal time period for response is insufficient to make an appropriate decision, the MCJ notifies the Inmate in writing of the extension and provides a date when a decision will be made. MCJ Policy states that if the Inmate does not receive a response within the time allotted for reply, including any properly noted extension the Inmate may consider the absence of a response to be a denial at that level.</p> <p>(e) Third parties, including fellow Inmates, staff members, family members, attorneys, and outside advocates are permitted to assist Inmates in filing grievances relating to allegations of sexual abuse or file such requests on behalf of Inmates. If the Inmate declines to have the request processed on his or her behalf the agency document the Inmate's decision.</p>

(f) MCJ Policy established procedures for filing an emergency grievance alleging that an Inmate is subject to a substantial risk of imminent sexual abuse. After receiving an emergency grievance alleging an Inmate is subject to substantial risk of imminent sexual abuse, the agency immediately forwards the grievance to PREA Compliance Manager for review.

(g) MCJ provides an initial response within 48 hours and issues a final agency decision within 5 calendar days. The MCJ's initial response and final decision are documented and placed in the Inmate's institutional file.

(h) The MCJ may discipline Inmates for filing a grievance related to alleged sexual abuse unless the facility demonstrates the grievance was deliberately filed in bad faith.

The Minnehaha County Jail reported zero (0) grievances related to sexual abuse or sexual harassment during the audit period.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.53

Inmate access to outside confidential support services

Auditor Overall Determination: Meets Standard

Auditor Discussion

Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards
2. MCJ - Inmate Booking Card Acknowledgment
3. MCJ - Website (<https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php>)

Inmate Kiosk and Tablets

Interviews:

1. Warden (PREA Coordinator) Interview
2. PREA Compliance Manager (Sgt.)
3. Random Staff Interviews
4. Random Inmate Interviews

Site Review Observations:

Observations during on-site review of physical plant

(a) The MCJ provides inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers, of local, State, or national victim advocacy or rape crisis organizations, this information is located in the MCJ PREA information that is provided at Intake.

(b) The MCJ informs inmates that communication with outside resources is confidential unless otherwise indicated by the provider.

(c) The MCJ has an agreement with The Compass Center to provide inmates with confidential emotional support services related to sexual abuse.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.54	Third-party reporting
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ - Website (https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php) 3. Inmate Kiosk and Tablets <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Random Staff Interviews 4. Random Inmate Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a,b) MCJ accepts and investigates third-party reports of sexual abuse and harassment. Information is posted in the visiting area and available on the MCJ website. Staff and inmate interviews reflected an understanding of this standard. Inmates felt that third party reports would be investigated.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.61	Staff and agency reporting duties
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. PREA Compliance with Prison Rape Elimination Act Standards <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Compliance Manager (Sgt.) 2. Random Staff Interviews 3. Random Inmate Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ requires 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. It also requires 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. Lastly, staff must report immediately and according to 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. Interviews conducted with staff showed they understood their duty to report any instances or suspected instances of sexual abuse. Staff was also aware of their duty not to discuss the allegations.</p> <p>(b) Apart from reporting to designated supervisors or officials, the MCJ staff refrains 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. The staff was able to clearly articulate during the interviews the importance of keeping the information confidential.</p> <p>(c) MCJ has provided information to community health providers to inform practitioners of their duty to report, and the limitations of confidentiality, at the initiation of services</p> <p>(d) MCJ does not regularly house inmates under the age of 18, if the victim is considered a vulnerable adult staff must report the allegation to the designated State or local services agency under applicable mandatory reporting laws</p> <p>(e) MCJ staff report all allegations of sexual abuse and sexual harassment, including</p>

	<p>third-party and anonymous reports, to the PREA Compliance Manager for investigation. Staff interviewed were aware of their reporting responsibilities.</p>
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Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.62	Agency protection duties
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. PREA Compliance with Prison Rape Elimination Act Standards <p>Interviews:</p> <ol style="list-style-type: none"> 1. PREA Compliance Manager (Sgt.) 2. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) According to MCJ Policy, when the agency learns that an inmate is subject to a substantial risk of imminent sexual abuse, the agency will take immediate action to protect the inmate. The MCJ reported no instances of substantial risk of imminent sexual abuse during the reporting period.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.63	Reporting to other confinement facilities
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none">1. PREA Compliance with Prison Rape Elimination Act Standards <p>Interviews:</p> <ol style="list-style-type: none">1. Warden (PREA Coordinator) Interview2. PREA Compliance Manager (Sgt.) <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy states that upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Warden/PREA Coordinator will notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. The MCJ provided reported no such notifications for this audit period. This practice was verified by the Warden.</p> <p>(b) Per policy, the notification is provided as soon as possible, but no later than 72 hours after receiving the allegation.</p> <p>(c) MCJ reported and documented one (1) such notification for the audit period.</p> <p>(d) The Warden initiates an investigation on any notifications that is received from another facility.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.64	<p>Staff first responder duties</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. PREA Compliance with Prison Rape Elimination Act Standards <p>Interviews:</p> <ol style="list-style-type: none"> 2. PREA Compliance Manager (Sgt.) 3. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ staff upon learning of an allegation that an inmate was sexually abused, and is the first security staff member to respond to the report is required to separate the alleged victim and abuser, preserve and protect any crime scene until appropriate steps can be taken to collect any evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating, if the abuse occurred within a time period that still allows for the collection of physical evidence and 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.</p> <p>(b) MCJ staff was able to articulate their responsibilities during targeted and random staff interviews.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard</p>
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115.65	Coordinated response
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none">1. PREA Compliance with Prison Rape Elimination Act Standards <p>Interviews:</p> <ol style="list-style-type: none">1. PREA Compliance Manager (Sgt.)2. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ has developed a written institutional plan according to the policy 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.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard</p>

115.66	Preservation of ability to protect inmates from contact with abusers
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. PREA Compliance with Prison Rape Elimination Act Standards 2. Minnehaha Deputies Association Contract <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>Minnehaha County Deputies are covered by a collective bargaining agreement, nothing in the collective bargaining agreement prevents staff from being removed during an investigation into sexual abuse or harassment. Minnehaha County policy allows the removal of alleged staff sexual abusers from contact with any inmates or place an employee on administrative leave pending the outcome of an investigation.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard</p>

115.67 Agency protection against retaliation

Auditor Overall Determination: Meets Standard

Auditor Discussion

Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. PREA Compliance with Prison Rape Elimination Act Standards

Interviews:

1. Warden (PREA Coordinator) Interview
2. PREA Compliance Manager (Sgt.)

Site Review Observations:

Observations during on-site review of physical plant

- (a) The MCJ has an established policy to protect all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations from retaliation by other inmates or staff, and shall designate which staff members or departments are charged with monitoring retaliation. The MCJ has designated the PREA Compliance Manager to conduct the monitoring.
- (b) The MCJ has 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.
- (c) The PREA Compliance Manager will, for at least 90 days following a report of sexual abuse, monitor the conduct and treatment of inmates or staff who reported the sexual abuse and of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. The PREA Compliance Manager also monitors any inmate disciplinary reports, housing, or program changes, or negative performance reviews or reassignments of staff. The PREA Compliance Manager may continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need.
- (d) The PREA Compliance Manager conducts status checks and that information is documented on the 90-day Review and Tracking form.
- (e) The PREA Compliance Manager also monitors any individual who cooperates with an investigation and who expresses a fear of retaliation, and they will take appropriate measures to protect that individual against retaliation.

Based upon the review and analysis of all of the available evidence, the auditor has

	determined that the agency is fully compliant with this standard.
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115.68	Post-allegation protective custody
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none">1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards <p>Interviews:</p> <ol style="list-style-type: none">1. Warden (PREA Coordinator) Interview2. PREA Compliance Manager (Sgt.)3. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy states that an inmate is admitted into protective custody when there is documentation that protective custody is warranted and no reasonable alternative is available.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.71	Criminal and administrative agency investigations
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Investigation Corporal <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy ensures that an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment.</p> <p>(b) Where sexual abuse is alleged, the MCJ uses investigators who have received specialized training in sexual abuse investigations as required by 115.34 and the Minnehaha County Sheriff's Office (MCSO) will be notified immediately.</p> <p>(c) MCSO Investigators will gather and preserve direct and circumstantial evidence, including any available physical and DNA evidence and any available electronic monitoring data; shall interview alleged victims, suspected perpetrators, and witnesses; and shall review prior complaints and reports of sexual abuse involving the suspected perpetrator. All of the internal reports will be provided to the MCSO as soon as possible.</p> <p>(d) The MCSO is responsible for the criminal investigations that maybe referred for prosecution.</p> <p>(e) Interviews conducted with the PREA Compliance Manager and Investigation Corporal confirms that the credibility of an alleged victim, suspect or witness is on an individual basis and not on the basis of that individual's status as an inmate or staff. The Investigation Corporal investigates all allegations of sexual abuse and refers matters to the MCSO as warranted.</p> <p>(f) MCJ conducts administrative investigations in an effort to determine whether staff actions or failures to act contributed to the abuse. All reports include a description of the physical evidence and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and finding.</p>

(g) MCJ staff provides to the MCSO for criminal investigations a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible.

(h) The PREA Investigator refers all allegations of sexual assault to the MCSO.

(i) The MCJ retains all written reports referenced for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

(j) MCJ policy states the departure of the alleged abuser or victim from the employment or control of the facility or agency shall not provide a basis for terminating an investigation.

(k) Auditor not required to audit this provision

(l) MCJ staff provides all of the internal reports to the MCSO as soon as possible following an allegation. MCJ Staff cooperates fully with the MCSO as requested.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.72	Evidentiary standard for administrative investigations
	<p data-bbox="256 188 983 224">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 300">Auditor Discussion</p> <p data-bbox="256 340 1474 416">Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="256 456 1362 560" style="list-style-type: none"> <li data-bbox="256 456 1337 488">1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards <li data-bbox="256 528 1362 560">2. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment <p data-bbox="256 600 416 631">Interviews:</p> <ol data-bbox="256 672 831 846" style="list-style-type: none"> <li data-bbox="256 672 831 703">1. Warden (PREA Coordinator) Interview <li data-bbox="256 743 772 775">2. PREA Compliance Manager (Sgt.) <li data-bbox="256 815 619 846">3. Investigation Corporal <p data-bbox="256 887 628 918">Site Review Observations:</p> <p data-bbox="256 958 995 990">Observations during on-site review of physical plant</p> <p data-bbox="256 1030 1474 1187">(a) In accordance with MCJ policy, the MCJ imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. Interviews with the investigative staff confirmed this statement.</p> <p data-bbox="256 1227 1442 1303">Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.73	Reporting to inmates
	<p data-bbox="256 188 983 221">Auditor Overall Determination: Meets Standard</p> <hr/> <p data-bbox="256 264 557 297">Auditor Discussion</p> <p data-bbox="256 340 1474 416">Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol data-bbox="256 454 1362 701" style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment 3. Notice of PREA Investigation Determination 4. Administrative Sexual Incident Review Form <p data-bbox="256 741 416 775">Interviews:</p> <ol data-bbox="256 813 831 987" style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Investigation Corporal <p data-bbox="256 1028 628 1061">Site Review Observations:</p> <p data-bbox="256 1099 995 1133">Observations during on-site review of physical plant</p> <p data-bbox="256 1171 1449 1413">(a) Following an investigation into an inmate's allegation that he or she suffered sexual abuse the MCJ informs the inmate as to whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The notification is done in writing on the <i>Notice of PREA Investigation Determination</i> form and is done regardless of the outcome of the investigation. The notification is also noted on the <i>Administrative Sexual Incident Review Form</i>.</p> <p data-bbox="256 1451 1390 1527">(b) The MCJ requests relevant information from the LCSO who is responsible for conducting the criminal investigation in order to inform the inmate.</p> <p data-bbox="256 1565 1479 1852">(c) Following an inmate's allegation that a staff member has committed sexual abuse against the inmate, the MCJ will subsequently inform the inmate (unless the agency has determined that the allegation is unfounded) whenever: the staff member is no longer posted within the inmate's unit, the staff member is no longer employed at the facility, the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility or the agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.</p> <p data-bbox="256 1890 1461 2089">(d) Following an inmate's allegation that he or she has been sexually abused by another inmate, the MCJ will 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 or the MCJ learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.</p>

(e) All such notifications or attempted notifications are documented and the notifications are kept in the investigative file.

(f) Auditor is not required to audit this provision

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.76	Disciplinary sanctions for staff
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy states that staff shall be subject to disciplinary sanctions up to and including termination for violating agency sexual abuse/harassment policies.</p> <p>(b) The policy states termination is presumptive disciplinary sanction for staff who has engaged in sexual abuse.</p> <p>(c) MCJ policy addresses the sanctions for violations of agency policies relating to sexual abuse and harassment shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.</p> <p>(d) The terminations for violations of agency sexual abuse and harassment or resignations by staff who would have been terminated if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.</p> <p>During the audit period Minnehaha County reported zero (0) incidents of staff being disciplined for violations of their <i>PREA Compliance with Prison Rape Elimination Act Standards</i> policy.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.77	<p>Corrective action for contractors and volunteers</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Contract Staff Interview 4. Volunteer Interview <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy states contractors and volunteers who engage in sexual abuse are prohibited from contact with inmates and shall be reported to law enforcement agencies and relevant licensing bodies.</p> <p>(b) MCJ policy states contractors and volunteers who engage in sexual abuse are prohibited from contact with inmates and shall be reported to law enforcement agencies and relevant licensing bodies.</p> <p>During the audit period Minnehaha County reported zero (0) incidents of volunteers or contract staff being removed for violations of their <i>PREA Compliance with Prison Rape Elimination Act Standards</i> policy.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.78	Disciplinary sanctions for inmates
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Policy - PREA Response and Investigation of Sexual Abuse/Harassment 3. MCJ Policy - Jail Inmates 4. MCJ Policy - Formal/Informal Discipline <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Random Inmate Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Inmates at the MCJ are subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse. Inmates are made aware of the disciplinary process which is located in the MCJ Inmate Handbook.</p> <p>(b) The MCJ Inmate Handbook reflects that sanctions shall be commensurate with the nature and circumstances of the abuse committed, the inmate's disciplinary history, and the sanctions imposed for comparable offenses by other inmates with similar histories.</p> <p>(c) The MCJ disciplinary process considers whether an inmate's mental disabilities or mental illness contributed to his or her behavior when determining what type of sanction, if any, should be imposed. Medical and Mental Health also discussed during the audit that they have discussed an inmate's mental disabilities prior to a sanction being given.</p> <p>(d) The MCJ does not offer programming such as therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse.</p> <p>(e) The MCJ will discipline an inmate for sexual contact with staff only upon a finding that the staff member did not consent to such contact.</p>

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

(g) The MCJ has a zero-tolerance policy concerning sexual contact.

During the audit period Minnehaha County reported two (2) incidents of inmates being disciplined for violations of their *PREA Compliance with Prison Rape Elimination Act Standards* policy.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.81	Medical and mental health screenings; history of sexual abuse
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ - RESPONSE TO SEXUAL ABUSE (Medical Policy) 3. Correctional Medical Management (CMM) - EMR Consent to Treat Form 4. MCJ - PREA Risk Screening Form <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Medical Staff interview 4. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) This provision is Not Applicable, this section only applies to prisons</p> <p>(b) This provision is Not Applicable, this section only applies to prisons</p> <p>(c) If the screening pursuant to § 115.41 indicates that a prison/jail inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, staff will ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening.</p> <p>(d) Any information related to sexual victimization or abusiveness that occurred in an institutional setting is strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by Federal, State, or local law. Local hospital staff has been directed to notify MCJ security staff immediately upon learning of any information regarding sexual abuse.</p> <p>(e) The MCJ does not regularly house inmates under the age of 18. 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.</p>

	<p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.82	Access to emergency medical and mental health services
	<p>Auditor Overall Determination: Meets Standard</p> <hr/> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ - RESPONSE TO SEXUAL ABUSE J-F-06 (Medical Policy) 3. MCJ - PREA Risk Screening Form <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Medical Staff interview 4. Random Staff Interviews <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) MCJ policy states inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment, the nature and scope of which are determined by medical and mental health practitioners according to their professional judgment.</p> <p>(b) MCJ staff act as security staff first responders, if no qualified medical or mental health practitioners are on duty at the time a report of recent abuse is made, the security staff first responders shall take preliminary steps to protect the victim pursuant to § 115.62 and shall immediately notify the appropriate medical and mental health practitioners.</p> <p>(c) MCJ staff confirmed that inmate victims of sexual abuse while incarcerated shall be offered timely information about and timely access to emergency contraception and sexually transmitted infections prophylaxis, in accordance with professionally accepted standards of care, where medically appropriate.</p> <p>(d) 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.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.83	<p>Ongoing medical and mental health care for sexual abuse victims and abusers</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ - RESPONSE TO SEXUAL ABUSE J-F-06 (Medical Policy) <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) Interview 2. PREA Compliance Manager (Sgt.) 3. Medical Staff interview <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) Whenever an employee knows or suspects, or receives an allegation from any source regarding patient sexual abuse, the employee will immediately notify the Responsible Health Authority.</p> <p>(b) Prophylactic treatment and follow-up care for sexually transmitted or other communicable diseases (e.g., HIV, Hepatitis B) are offered to all victims, as appropriate.</p> <p>(c) Victims of sexual abuse will be referred to a community facility or local emergency room for treatment or gathering of forensic evidence.</p> <p>(d) Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.</p> <p>(e) If pregnancy results from conduct specified in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy related medical services.</p> <p>(f) Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.</p> <p>(g) Medical co-payment fees are not imposed to inmates for these medical services.</p> <p>(h) Mental Health - After any emergency treatment is provided, health care staff will notify mental health staff of event. An immediate referral, including after hours, is the preferred referral format in case of an abuse.</p>
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	<p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.86 Sexual abuse incident reviews

Auditor Overall Determination: Meets Standard

Auditor Discussion

Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards
2. MCJ - Administrative Sexual Incident Review Form

Interviews:

1. Warden (PREA Coordinator) interview
2. PREA Compliance Manager (Sgt.)

Site Review Observations:

Observations during on-site review of physical plant

- (a) MCJ policy requires 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.
- (b) Reviews ordinarily occur within 30 days of the conclusion of the investigation.
- (c) The review team includes upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners
- (d) The review team considers whether the allegation and/or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse; 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. The review team examines the area of the facility where the incident occurred to assess whether physical barriers in the area may enable abuse. The review team assesses the adequacy of staffing levels in that area during different shifts and whether monitoring technology should be deployed or augmented to supplement supervision by staff.
- (e) MCJ policy requires the implementation of recommendations or documents its reasons for not doing so.

During the audit period Minnehaha County provided documentation of seven (7) investigations which required an after-action review. All were completed as required.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.87 Data collection

Auditor Overall Determination: Meets Standard

Auditor Discussion

Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:

1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards
2. MCJ Website - <https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php>
3. PREA Annual Report (2020, 2021)

Interviews:

1. Warden (PREA Coordinator) interview
2. PREA Compliance Manager (Sgt.)

Site Review Observations:

Observations during on-site review of physical plant

(a) The MCJ collects accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions.

(b) The MCJ aggregates the incident-based sexual abuse data at least annually and posts it on their website. <https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php>



(c) The incident-based data includes data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice.

(d) The MCJ maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews.

(e) The MCJ does not contract for the confinement of its inmates.

(f) The MCJ upon request provides all such data from the previous calendar year to the Department of Justice.

Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.

115.88	Data review for corrective action
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	<p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Website - https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php 3. PREA Annual Report (2020, 2021) <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) interview 2. PREA Compliance Manager (Sgt.) <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) The MCJ reviews 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 by identifying problem areas, taking corrective action on an ongoing basis and prepares an annual report of its findings</p> <p>(b) The MCJ's annual report includes 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</p> <p>(c) The MCJ's annual report is approved by the agency head and made available to the public on its website. - https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php</p> <p>(d) The MCJ indicates 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.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>

115.89	<p>Data storage, publication, and destruction</p> <p>Auditor Overall Determination: Meets Standard</p> <p>Auditor Discussion</p> <p>Minnehaha County Jail (MCJ) provided the following documents to assist the auditor in determining compliance with the standard:</p> <ol style="list-style-type: none"> 1. MCJ Policy - PREA Compliance with Prison Rape Elimination Act Standards 2. MCJ Website - https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php 3. PREA Annual Report (2020, 2021) <p>Interviews:</p> <ol style="list-style-type: none"> 1. Warden (PREA Coordinator) interview 2. PREA Compliance Manager (Sgt.) <p>Site Review Observations:</p> <p>Observations during on-site review of physical plant</p> <p>(a) The MCJ ensures that data collected pursuant to § 115.87 is securely retained.</p> <p>(b) The MCJ makes all aggregated sexual abuse data readily available to the public at least annually through its website. -https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php</p> <p>(c) The MCJ removes all personal identifiers before making aggregated sexual abuse data publicly available.</p> <p>(d) The MCJ maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection.</p> <p>Based upon the review and analysis of all of the available evidence, the auditor has determined that the agency is fully compliant with this standard.</p>
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115.401	Frequency and scope of audits
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	This was Minnehaha County's third audit of the PREA standards. During the on-site visit the auditor was afforded access to all areas of the facility, allowed to interview inmates and staff in private, and was provided with all necessary documentation to complete a thorough audit. Contact information for this auditor was visible in all areas of the facility.

115.403	Audit contents and findings
	Auditor Overall Determination: Meets Standard
	Auditor Discussion
	The auditor observed on the agency's website Minnehaha County's previous Final PREA Audit Report. Minnehaha County Detention ensures that final reports are published on their website. https://jail.minnehahacounty.org/dept/so/divisions/jail/prea/prea.php

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

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

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

	for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	
	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).)	yes
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).)	yes
	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).)	yes
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).)	yes
	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).)	yes
	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).)	yes
115.15 (a)	Limits to cross-gender viewing and searches	
	Does the facility always refrain from conducting any cross-gender strip or cross-gender visual body cavity searches, except in exigent circumstances or by medical practitioners?	yes

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

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

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

	with inmates with disabilities including inmates who: Have intellectual disabilities?	
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: Have limited reading skills?	yes
	Does the agency ensure that written materials are provided in formats or through methods that ensure effective communication with inmates with disabilities including inmates who: are blind or have low vision?	yes
115.16 (b)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency take reasonable steps to ensure meaningful access to all aspects of the agency's efforts to prevent, detect, and respond to sexual abuse and sexual harassment to inmates who are limited English proficient?	yes
	Do these steps include providing interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary?	yes
115.16 (c)	Inmates with disabilities and inmates who are limited English proficient	
	Does the agency always refrain from relying on inmate interpreters, inmate readers, or other types of inmate assistance except in limited circumstances where an extended delay in obtaining an effective interpreter could compromise the inmate's safety, the performance of first-response duties under §115.64, or the investigation of the inmate's allegations?	yes

115.17 (a)	Hiring and promotion decisions	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who 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.)	yes
115.18 (b)	Upgrades to facilities and technologies	
	If the agency installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology, did the agency consider how such technology may enhance the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not installed or updated a video monitoring system, electronic surveillance system, or other monitoring technology since August 20, 2012, or since the last PREA audit, whichever is later.)	yes
115.21 (a)	Evidence protocol and forensic medical examinations	
	If the agency is responsible for investigating allegations of sexual abuse, does the agency follow a uniform evidence protocol that maximizes the potential for obtaining usable physical evidence for administrative proceedings and criminal prosecutions? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes

115.21 (b) Evidence protocol and forensic medical examinations		
	Is this protocol developmentally appropriate for youth where applicable? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
	Is this protocol, as appropriate, adapted from or otherwise based on the most recent edition of the U.S. Department of Justice's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations.)	yes
115.21 (c) Evidence protocol and forensic medical examinations		
	Does the agency offer all victims of sexual abuse access to forensic medical examinations, whether on-site or at an outside facility, without financial cost, where evidentiarily or medically appropriate?	yes
	Are such examinations performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible?	yes
	If SAFEs or SANEs cannot be made available, is the examination performed by other qualified medical practitioners (they must have been specifically trained to conduct sexual assault forensic exams)?	yes
	Has the agency documented its efforts to provide SAFEs or SANEs?	yes
115.21 (d) Evidence protocol and forensic medical examinations		
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	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.)	yes
115.51 (c)	Inmate reporting	
	Does staff accept reports of sexual abuse and sexual harassment made verbally, in writing, anonymously, and from third parties?	yes
	Does staff promptly document any verbal reports of sexual abuse and sexual harassment?	yes
115.51 (d)	Inmate reporting	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
115.52 (a)	Exhaustion of administrative remedies	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	yes

115.52 (b)	Exhaustion of administrative remedies	
	Does the agency permit inmates to submit a grievance regarding an allegation of sexual abuse without any type of time limits? (The agency may apply otherwise-applicable time limits to any portion of a grievance that does not allege an incident of sexual abuse.) (N/A if agency is exempt from this standard.)	yes
	Does the agency always refrain from requiring an inmate to use any informal grievance process, or to otherwise attempt to resolve with staff, an alleged incident of sexual abuse? (N/A if agency is exempt from this standard.)	yes
115.52 (c)	Exhaustion of administrative remedies	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from 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.)	yes
115.83 (e)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If pregnancy results from the conduct described in paragraph § 115.83(d), do such victims receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services? (N/A if "all male" facility. Note: in "all male" facilities there may be inmates who identify as transgender men who may have female genitalia. Auditors should be sure to know whether such individuals may be in the population and whether this provision may apply in specific circumstances.)	yes
115.83 (f)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
115.83 (g)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	Are treatment services provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident?	yes

115.83 (h)	Ongoing medical and mental health care for sexual abuse victims and abusers	
	If the facility is a prison, does it attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners? (NA if the facility is a jail.)	na
115.86 (a)	Sexual abuse incident reviews	
	Does the facility conduct a sexual abuse incident review at the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated, unless the allegation has been determined to be unfounded?	yes
115.86 (b)	Sexual abuse incident reviews	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
115.86 (c)	Sexual abuse incident reviews	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes

115.86 (d)	Sexual abuse incident reviews	
	Does the review team: Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse?	yes
	Does the review team: Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; gang affiliation; or other group dynamics at the facility?	yes
	Does the review team: Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse?	yes
	Does the review team: Assess the adequacy of staffing levels in that area during different shifts?	yes
	Does the review team: Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff?	yes
	Does the review team: Prepare a report of its findings, including but not necessarily limited to determinations made pursuant to §§ 115.86(d)(1)-(d)(5), and any recommendations for improvement and submit such report to the facility head and PREA compliance manager?	yes
115.86 (e)	Sexual abuse incident reviews	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes
115.87 (a)	Data collection	
	Does the agency collect accurate, uniform data for every allegation of sexual abuse at facilities under its direct control using a standardized instrument and set of definitions?	yes
115.87 (b)	Data collection	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
115.87 (c)	Data collection	
	Does the incident-based data include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the Department of Justice?	yes

115.87 (d)	Data collection	
	Does the agency maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews?	yes
115.87 (e)	Data collection	
	Does the agency also obtain incident-based and aggregated data from every private facility with which it contracts for the confinement of its inmates? (N/A if agency does not contract for the confinement of its inmates.)	na
115.87 (f)	Data collection	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	na
115.88 (a)	Data review for corrective action	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	yes
115.88 (b)	Data review for corrective action	
	Does the agency's annual report include a comparison of the current year's data and corrective actions with those from prior years and provide an assessment of the agency's progress in addressing sexual abuse?	yes
115.88 (c)	Data review for corrective action	
	Is the agency's annual report approved by the agency head and made readily available to the public through its website or, if it does not have one, through other means?	yes

115.88 (d)	Data review for corrective action	
	Does the agency indicate the nature of the material redacted where it redacts specific material from the reports when publication would present a clear and specific threat to the safety and security of a facility?	yes
115.89 (a)	Data storage, publication, and destruction	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
115.89 (b)	Data storage, publication, and destruction	
	Does the agency make all aggregated sexual abuse data, from facilities under its direct control and private facilities with which it contracts, readily available to the public at least annually through its website or, if it does not have one, through other means?	yes
115.89 (c)	Data storage, publication, and destruction	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
115.89 (d)	Data storage, publication, and destruction	
	Does the agency maintain sexual abuse data collected pursuant to § 115.87 for at least 10 years after the date of the initial collection, unless Federal, State, or local law requires otherwise?	yes
115.401 (a)	Frequency and scope of audits	
	During the prior three-year audit period, did the agency ensure that each facility operated by the agency, or by a private organization on behalf of the agency, was audited at least once? (Note: The response here is purely informational. A "no" response does not impact overall compliance with this standard.)	yes

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

115.403 (f)	Audit contents and findings	
	<p>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.)</p>	yes