

# PREA Facility Audit Report: Final

**Name of Facility:** Stutsman County Correctional Center

**Facility Type:** Prison / Jail

**Date Interim Report Submitted:** NA

**Date Final Report Submitted:** 06/11/2025

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"/>
<b>Auditor Full Name as Signed:</b> Candace L. Snyder	<b>Date of Signature:</b> 06/11/2025

AUDITOR INFORMATION	
<b>Auditor name:</b>	Snyder, Candy
<b>Email:</b>	snyder@gwtc.net
<b>Start Date of On-Site Audit:</b>	04/23/2025
<b>End Date of On-Site Audit:</b>	04/24/2025

FACILITY INFORMATION	
<b>Facility name:</b>	Stutsman County Correctional Center
<b>Facility physical address:</b>	205 6th Street Southeast, Jamestown, North Dakota - 58401
<b>Facility mailing address:</b>	205 6th Street Souteast, Jamestown,

Primary Contact
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<b>Name:</b>	Chad Jackson
<b>Email Address:</b>	cjackson@stutsmancounty.gov
<b>Telephone Number:</b>	7012516202

<b>Warden/Jail Administrator/Sheriff/Director</b>	
<b>Name:</b>	Chad Jackson
<b>Email Address:</b>	cjackson@stutsmancounty.gov
<b>Telephone Number:</b>	7012516202

<b>Facility PREA Compliance Manager</b>	
<b>Name:</b>	Richard Barnes
<b>Email Address:</b>	rbarnes@stutsmancounty.gov
<b>Telephone Number:</b>	701-252-7436
<b>Name:</b>	Sarena Ebel
<b>Email Address:</b>	sebel@stutsmancounty.gov
<b>Telephone Number:</b>	(701) 269-8119

<b>Facility Health Service Administrator On-site</b>	
<b>Name:</b>	Heidi Lindberg
<b>Email Address:</b>	hlindberg@stutsmancounty.gov
<b>Telephone Number:</b>	701-251-6254

<b>Facility Characteristics</b>	
<b>Designed facility capacity:</b>	92
<b>Current population of facility:</b>	58
<b>Average daily population for the past 12 months:</b>	65

<b>Has the facility been over capacity at any point in the past 12 months?</b>	No
<b>What is the facility's population designation?</b>	Both women/girls and men/boys
<b>In the past 12 months, which population(s) has the facility held? Select all that apply (Nonbinary describes a person who does not identify exclusively as a boy/man or a girl/woman. Some people also use this term to describe their gender expression. For definitions of "intersex" and "transgender," please see <a href="https://www.prearesourcecenter.org/standard/115-5">https://www.prearesourcecenter.org/standard/115-5</a>)</b>	
<b>Age range of population:</b>	18-63
<b>Facility security levels/inmate custody levels:</b>	pre-sentenced and sentenced
<b>Does the facility hold youthful inmates?</b>	No
<b>Number of staff currently employed at the facility who may have contact with inmates:</b>	30
<b>Number of individual contractors who have contact with inmates, currently authorized to enter the facility:</b>	4
<b>Number of volunteers who have contact with inmates, currently authorized to enter the facility:</b>	24

## AGENCY INFORMATION

<b>Name of agency:</b>	Stutsman County Sheriff's Department
<b>Governing authority or parent agency (if applicable):</b>	
<b>Physical Address:</b>	205 6th Street Southeast, Jamestown, North Dakota - 58401
<b>Mailing Address:</b>	

<b>Telephone number:</b>	
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<b>Agency Chief Executive Officer Information:</b>	
<b>Name:</b>	
<b>Email Address:</b>	
<b>Telephone Number:</b>	

<b>Agency-Wide PREA Coordinator Information</b>			
<b>Name:</b>	Chad Jackson	<b>Email Address:</b>	cjackson@stutsmancounty.gov

<b>Facility AUDIT FINDINGS</b>	
<b>Summary of Audit Findings</b>	
<p>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.</p> <p>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.</p>	
<b>Number of standards exceeded:</b>	
2	<ul style="list-style-type: none"> <li>• 115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</li> <li>• 115.16 - Inmates with disabilities and inmates who are limited English proficient</li> </ul>
<b>Number of standards met:</b>	
43	
<b>Number of standards not met:</b>	

	0	
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## POST-AUDIT REPORTING INFORMATION

### GENERAL AUDIT INFORMATION

#### On-site Audit Dates

1. Start date of the onsite portion of the audit:	2025-04-23
2. End date of the onsite portion of the audit:	2025-04-24

#### 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:	Safe Shelter

### AUDITED FACILITY INFORMATION

14. Designated facility capacity:	92
15. Average daily population for the past 12 months:	65
16. Number of inmate/resident/detainee housing units:	11
17. Does the facility ever hold youthful inmates or youthful/juvenile detainees?	<input type="radio"/> Yes <input checked="" 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**

<b>18. Enter the total number of inmates/residents/detainees in the facility as of the first day of onsite portion of the audit:</b>	68
<b>19. 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:</b>	0
<b>20. 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:</b>	0
<b>21. 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:</b>	0
<b>22. 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:</b>	0
<b>23. 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:</b>	2
<b>24. 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:</b>	0

<p><b>25. 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:</b></p>	<p>0</p>
<p><b>26. 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:</b></p>	<p>0</p>
<p><b>27. 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:</b></p>	<p>2</p>
<p><b>28. 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:</b></p>	<p>0</p>
<p><b>29. 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):</b></p>	<p>No text provided.</p>
<p><b>Staff, Volunteers, and Contractors Population Characteristics on Day One of the Onsite Portion of the Audit</b></p>	
<p><b>30. 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:</b></p>	<p>24</p>
<p><b>31. 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:</b></p>	<p>24</p>

<p><b>32. 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:</b></p>	<p>3</p>
<p><b>33. 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:</b></p>	<p>No text provided.</p>
<p><b>INTERVIEWS</b></p>	
<p><b>Inmate/Resident/Detainee Interviews</b></p>	
<p><b>Random Inmate/Resident/Detainee Interviews</b></p>	
<p><b>34. Enter the total number of RANDOM INMATES/RESIDENTS/DETAINEES who were interviewed:</b></p>	<p>12</p>
<p><b>35. Select which characteristics you considered when you selected RANDOM INMATE/RESIDENT/DETAINEE interviewees: (select all that apply)</b></p>	<p> <input checked="" type="checkbox"/> Age  <input type="checkbox"/> Race  <input checked="" type="checkbox"/> Ethnicity (e.g., Hispanic, Non-Hispanic)  <input checked="" 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><b>36. How did you ensure your sample of RANDOM INMATE/RESIDENT/DETAINEE interviewees was geographically diverse?</b></p>	<p>Interviewed inmates from all housing areas</p>
<p><b>37. Were you able to conduct the minimum number of random inmate/resident/detainee interviews?</b></p>	<p> <input checked="" type="radio"/> Yes  <input type="radio"/> No </p>

<b>38. 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):</b>	No text provided.
<b>Targeted Inmate/Resident/Detainee Interviews</b>	
<b>39. Enter the total number of TARGETED INMATES/RESIDENTS/DETAINEES who were interviewed:</b>	4
<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>	
<b>40. Enter the total number of interviews conducted with inmates/residents/detainees with a physical disability using the "Disabled and Limited English Proficient Inmates" protocol:</b>	0
<b>40. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b>	<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.  <input type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.

<p><b>40. 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).</b></p>	<p>I interviewed inmates and staff and reviewed screening documents of inmates which corroborated that there were no inmates with this characteristic to be interviewed.</p>
<p><b>41. 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:</b></p>	<p>1</p>
<p><b>42. 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:</b></p>	<p>0</p>
<p><b>42. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></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>42. 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).</b></p>	<p>I interviewed inmates and staff and reviewed screening documents of inmates which corroborated that there were no inmates with this characteristic to be interviewed.</p>
<p><b>43. 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:</b></p>	<p>0</p>

<p><b>43. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></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>43. 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).</b></p>	<p>I interviewed inmates and staff and reviewed screening documents of inmates which corroborated that there were no inmates with this characteristic to be interviewed.</p>
<p><b>44. 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:</b></p>	<p>2</p>
<p><b>45. 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:</b></p>	<p>0</p>
<p><b>45. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></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>45. 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).</b></p>	<p>I interviewed inmates and staff and reviewed screening documents of inmates which corroborated that there were no inmates with this characteristic to be interviewed.</p>

<p><b>46. 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:</b></p>	<p>0</p>
<p><b>46. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></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 checked="" type="checkbox"/> The inmates/residents/detainees in this targeted category declined to be interviewed.</p>
<p><b>46. 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).</b></p>	<p>I interviewed inmates and staff and reviewed screening documents of inmates which corroborated that there were no inmates with this characteristic to be interviewed.</p>
<p><b>47. 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:</b></p>	<p>0</p>
<p><b>47. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></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>47. 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).</b></p>	<p>I interviewed inmates and staff at the facility and reviewed investigative documents which corroborated that there were no inmates with this characteristic to be interviewed.</p>

<p><b>48. 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:</b></p>	<p>2</p>
<p><b>49. 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:</b></p>	<p>0</p>
<p><b>49. Select why you were unable to conduct at least the minimum required number of targeted inmates/residents/detainees in this category:</b></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>49. 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).</b></p>	<p>I interviewed inmates and staff at the facility and reviewed other documents which corroborated that there were no inmates with this characteristic to be interviewed.</p>
<p><b>50. Provide any additional comments regarding selecting or interviewing targeted inmates/residents/detainees (e.g., any populations you oversampled, barriers to completing interviews):</b></p>	<p>No text provided.</p>
<p><b>Staff, Volunteer, and Contractor Interviews</b></p>	
<p><b>Random Staff Interviews</b></p>	
<p><b>51. Enter the total number of RANDOM STAFF who were interviewed:</b></p>	<p>10</p>

<p><b>52. Select which characteristics you considered when you selected RANDOM STAFF interviewees: (select all that apply)</b></p>	<p><input type="checkbox"/> Length of tenure in the facility</p> <p><input checked="" type="checkbox"/> Shift assignment</p> <p><input type="checkbox"/> Work assignment</p> <p><input type="checkbox"/> Rank (or equivalent)</p> <p><input type="checkbox"/> Other (e.g., gender, race, ethnicity, languages spoken)</p> <p><input type="checkbox"/> None</p>
<p><b>53. Were you able to conduct the minimum number of RANDOM STAFF interviews?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p>
<p><b>53. Select the reason(s) why you were unable to conduct the minimum number of RANDOM STAFF interviews: (select all that apply)</b></p>	<p><input type="checkbox"/> Too many staff declined to participate in interviews.</p> <p><input type="checkbox"/> Not enough staff employed by the facility to meet the minimum number of random staff interviews (Note: select this option if there were not enough staff employed by the facility or not enough staff employed by the facility to interview for both random and specialized staff roles).</p> <p><input type="checkbox"/> Not enough staff available in the facility during the onsite portion of the audit to meet the minimum number of random staff interviews.</p> <p><input checked="" type="checkbox"/> Other</p>

<p><b>If "Other," explain:</b></p>	<p>I did not complete the two overnight staff interviews on shift. On April 23rd at about 5 PM, I read an email from the PRC that stated the DOJ had terminated PRC funding and activities. I had intended to return at 10PM to complete the overnight shift interviews. However, I missed interpreted that email to mean that I was to terminate my activities. As the email stated that no one was responding to questions, I did not know who to contact. The following morning, I met with the Jail Administrator, and we determined jointly that we would complete the on-site portion of the audit (minus the two staff interviews I did not complete the previous night) and try to get more information later.</p>
<p><b>54. Provide any additional comments regarding selecting or interviewing random staff (e.g., any populations you oversampled, barriers to completing interviews, barriers to ensuring representation):</b></p>	<p>No text provided.</p>
<p><b>Specialized Staff, Volunteers, and Contractor Interviews</b></p>	
<p>Staff in some facilities may be responsible for more than one of the specialized staff duties. Therefore, more than one interview protocol may apply to an interview with a single staff member and that information would satisfy multiple specialized staff interview requirements.</p>	
<p><b>55. Enter the total number of staff in a SPECIALIZED STAFF role who were interviewed (excluding volunteers and contractors):</b></p>	<p>4</p>
<p><b>56. Were you able to interview the Agency Head?</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
<p><b>57. Were you able to interview the Warden/Facility Director/Superintendent or their designee?</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>

<b>58. Were you able to interview the PREA Coordinator?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>59. Were you able to interview the PREA Compliance Manager?</b>	<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)

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

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

	<input type="checkbox"/> Other
<b>61. Did you interview VOLUNTEERS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>61. Enter the total number of VOLUNTEERS who were interviewed:</b>	2
<b>61. Select which specialized VOLUNTEER role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input type="checkbox"/> Mental health/counseling <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other
<b>62. Did you interview CONTRACTORS who may have contact with inmates/residents/detainees in this facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>62. Enter the total number of CONTRACTORS who were interviewed:</b>	1
<b>62. Select which specialized CONTRACTOR role(s) were interviewed as part of this audit from the list below: (select all that apply)</b>	<input type="checkbox"/> Security/detention <input type="checkbox"/> Education/programming <input type="checkbox"/> Medical/dental <input checked="" type="checkbox"/> Food service <input type="checkbox"/> Maintenance/construction <input type="checkbox"/> Other
<b>63. Provide any additional comments regarding selecting or interviewing specialized staff.</b>	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.

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

Yes

No

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

**65. 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

**66. 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

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

Yes

No

**68. Informal conversations with staff during the site review (encouraged, not required)?**

Yes

No

<p><b>69. Provide any additional comments regarding the site review (e.g., access to areas in the facility, observations, tests of critical functions, or informal conversations).</b></p>	<p>No text provided.</p>
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**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><b>70. 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?</b></p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p>
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<p><b>71. Provide any additional comments regarding selecting additional documentation (e.g., any documentation you oversampled, barriers to selecting additional documentation, etc.).</b></p>	<p>No text provided.</p>
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**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.

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

	<b># of sexual abuse allegations</b>	<b># of criminal investigations</b>	<b># of administrative investigations</b>	<b># of allegations that had both criminal and administrative investigations</b>
<b>Inmate-on-inmate sexual abuse</b>	3	0	3	0
<b>Staff-on-inmate sexual abuse</b>	0	0	0	0
<b>Total</b>	3	0	3	0

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

	<b># of sexual harassment allegations</b>	<b># of criminal investigations</b>	<b># of administrative investigations</b>	<b># of allegations that had both criminal and administrative investigations</b>
<b>Inmate-on-inmate sexual harassment</b>	5	0	5	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0
<b>Total</b>	5	0	5	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.

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual abuse</b>	0	3	0	1
<b>Staff-on-inmate sexual abuse</b>	0	0	0	0
<b>Total</b>	0	3	0	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.

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

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

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

	Ongoing	Unfounded	Unsubstantiated	Substantiated
<b>Inmate-on-inmate sexual harassment</b>	0	2	3	0
<b>Staff-on-inmate sexual harassment</b>	0	0	0	0
<b>Total</b>	0	2	3	0

**Sexual Abuse and Sexual Harassment Investigation Files Selected for Review**

**Sexual Abuse Investigation Files Selected for Review**

**78. Enter the total number of SEXUAL ABUSE investigation files reviewed/ sampled:**

3

<p><b>79. Did your selection of SEXUAL ABUSE investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual abuse investigation files)</p>
<p><b>Inmate-on-inmate sexual abuse investigation files</b></p>	
<p><b>80. Enter the total number of INMATE-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>3</p>
<p><b>81. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></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 abuse investigation files)</p>
<p><b>82. Did your sample of INMATE-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></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 abuse investigation files)</p>
<p><b>Staff-on-inmate sexual abuse investigation files</b></p>	
<p><b>83. Enter the total number of STAFF-ON-INMATE SEXUAL ABUSE investigation files reviewed/sampled:</b></p>	<p>0</p>
<p><b>84. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include criminal investigations?</b></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 abuse investigation files)</p>

<p><b>85. Did your sample of STAFF-ON-INMATE SEXUAL ABUSE investigation files include administrative investigations?</b></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 abuse investigation files)</p>
<p><b>Sexual Harassment Investigation Files Selected for Review</b></p>	
<p><b>86. Enter the total number of SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>5</p>
<p><b>87. Did your selection of SEXUAL HARASSMENT investigation files include a cross-section of criminal and/or administrative investigations by findings/outcomes?</b></p>	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> NA (NA if you were unable to review any sexual harassment investigation files)</p>
<p><b>Inmate-on-inmate sexual harassment investigation files</b></p>	
<p><b>88. Enter the total number of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b></p>	<p>5</p>
<p><b>89. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT files include criminal investigations?</b></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><b>90. Did your sample of INMATE-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b></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>

<b>Staff-on-inmate sexual harassment investigation files</b>	
<b>91. Enter the total number of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files reviewed/sampled:</b>	0
<b>92. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include criminal investigations?</b>	<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 harassment investigation files)
<b>93. Did your sample of STAFF-ON-INMATE SEXUAL HARASSMENT investigation files include administrative investigations?</b>	<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 harassment investigation files)
<b>94. Provide any additional comments regarding selecting and reviewing sexual abuse and sexual harassment investigation files.</b>	No text provided.
<b>SUPPORT STAFF INFORMATION</b>	
<b>DOJ-certified PREA Auditors Support Staff</b>	
<b>95. 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.</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No

**Non-certified Support Staff**

96. 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.**

Yes  
 No

96. Enter the **TOTAL NUMBER OF NON-CERTIFIED SUPPORT** who provided assistance at any point during this audit:

1

**AUDITING ARRANGEMENTS AND COMPENSATION**

97. Who paid you to conduct this audit?

The audited facility or its parent agency

My state/territory or county government employer (if you audit as part of a consortium or circular auditing arrangement, select this option)

A third-party auditing entity (e.g., accreditation body, consulting firm)

Other

<b>Standards</b>
<p><b>Auditor Overall Determination Definitions</b></p> <ul style="list-style-type: none"> <li>• Exceeds Standard (Substantially exceeds requirement of standard)</li> <li>• Meets Standard (substantial compliance; complies in all material ways with the stand for the relevant review period)</li> <li>• Does Not Meet Standard (requires corrective actions)</li> </ul>
<p><b>Auditor Discussion Instructions</b></p> <p>Auditor discussion, including the evidence relied upon in making the compliance or non-compliance determination, the auditor’s analysis and reasoning, and the auditor’s conclusions. This discussion must also include corrective action recommendations where the facility does not meet standard. These recommendations must be included in the Final Report, accompanied by information on specific corrective actions taken by the facility.</p>

<b>115.11</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>
	<p><b>Auditor Overall Determination:</b> Exceeds Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 PREA Prison Rape Elimination Act of 2003</li> <li>3. SCCC Organizational Chart</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. Lieutenant/PREA Compliance Manager</li> <li>3. 10 random staff</li> <li>4. 16 random inmates</li> </ol> <p>The Stutsman County Correctional Center (SCCC) is a 92-bed jail in Jamestown, North Dakota.</p> <p><b>Findings by Provision:</b>  <b>115.11 (a): Zero-Tolerance Policy</b>  <b>Compliance Determination:</b> Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</p>

states that, the SCCC has a zero tolerance toward all forms of sexual abuse and sexual harassment within its facilities. The SCCC has a zero tolerance toward all forms of sexual abuse and sexual harassment within its facilities. This policy outlines how the SCCC will implement the agency's zero tolerance approach to preventing, detecting, and responding to sexual abuse and sexual harassment.

**115.11(b): PREA Coordinator**

**Compliance Determination:** The SCCC has appointed an upper-level, agency-wide PREA Coordinator, with sufficient time and authority to develop, implement, and oversee agency efforts to comply with the PREA standards. The PREA Coordinator holds the position of Jail Administrator and reports to the Sheriff. The auditor interviewed the PREA Coordinator and found him to be knowledgeable about his role. He stated he has enough time to manage his PREA-related responsibilities. He went on to give several examples of how he carries out his duties. He manages the lieutenant whom he appointed as a PREA Compliance Manager to assist in PREA-related duties.

**115.11(c): PREA Compliance Manager**

**Compliance Determination:** The Jail Administrator has appointed the Lieutenant as the PREA Compliance Manager to assist in PREA-related duties. The SCCC is a single facility and therefore is not required to have a PREA Compliance Manager. The PREA Compliance Manager handles the day-to-day PREA compliance efforts within their facility. Because of having both a PREA Coordinator and a PREA Compliance Manager for a single facility, the Stutsman County Correctional Center substantially exceeds the requirements of this standard.

The auditor interviewed the PREA Compliance Manager, who explained the PREA processes that he is responsible for within the facility. He stated that he handles most of the routine tasks such as testing the phone system to call both the external reporting entity and the local rape crisis center number.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of the organizational chart, and interviews with the Jail Administrator/PREA Coordinator, the Lieutenant/PREA Compliance Manager, random staff, and random inmates. All staff and inmates were knowledgeable of the zero-tolerance policy as demonstrated through the interviews.

<b>115.12</b>	<b>Contracting with other entities for the confinement of inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. 19 contracts with other entities</li> </ol>

	<p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.12 (a): Contracts for confinement of inmates comply with PREA</b>  <b>Compliance Determination:</b> The SCCC does not contract for the confinement of inmates with an outside entity. The SCCC contracts to hold inmates for 19 other entities.</p> <p><b>115.12 (b): Contracts provide for contract monitoring to ensure compliance</b>  <b>Compliance Determination:</b> The SCCC does not contract for the confinement of inmates with an outside entity.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of 19 contracts with other entities, and an interview with the Jail Administrator/PREA Coordinator.</p>
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<b>115.13</b>	<b>Supervision and monitoring</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p>
	<p><b>Auditor Discussion</b></p>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 PREA Prison Rape Elimination Act of 2003</li> <li>3. Policy 5-05 Supervisor and Administrative Rounds</li> <li>3. SCCC Jail Staffing Plan 2025</li> <li>4. SCCC Organizational Chart</li> <li>5. SCCC Staff schedule</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Sheriff</li> <li>2. Jail Administrator/PREA Coordinator</li> <li>3. Lieutenant/PREA Compliance Manager</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.13 (a) Staffing Plan</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 PREA Prison Rape Elimination Act of 2003, Policy 5-05 Supervisor and Administrative Rounds, the 2025 staffing plan review, and interviewed administrators. In calculating adequate staffing levels, the facility takes into consideration: the physical layout of the facility, the composition of the inmate population, the prevalence of substantiated and unsubstantiated incidents of sexual abuse, and any other relevant factors. The auditor toured all areas of the facility and observed all areas, including the housing units, restrooms, dayrooms, kitchen, laundry, storage areas, pat search area, booking, and staff areas. While touring the facility, the auditor noted camera</p>

locations, security mirrors, and looked specifically for blind spots. The auditor came in during all shifts, including the night shift, to see operations at all times of the day. The auditor had informal conversations and made observations about inmate supervision. The storage doors were locked, and the facility's practices and procedures ensure staff and inmates are not in a one-on-one situation out of camera view. The auditor observed that staffing levels were either at or above the levels indicated in the staffing plan.

**115.13 (b): Document deviations**

**Compliance Determination:** Both the policy and interviews with administrators verify that in circumstances where the staffing plan is not complied with, the facility will document and justify all deviations from the plan and advise the Jail Administrator. There were no deviations from the staffing plan. The Jail Administrator stated that they would log any deviations within the logbook, and he reviews the logbook weekly. However, he stated he would know about that before he read it in the logbook.

**115.13 (c) Annual Review**

**Compliance Determination:** The auditor reviewed the SCCC Jail Staffing Plan 2025, which outlines the minimum number of staff on each shift, the composition of the inmates, the physical layout of the facility, technology review, and their consideration of any substantiated or unsubstantiated incidents of sexual abuse during their staffing plan review. The Jail Administrator stated that the only change since the last audit was the addition of a Guardian rounds tracker system.

**115.13 (d) Unannounced Rounds**

**Compliance Determination:** The auditor interviewed the Jail Administrator/PREA Coordinator and the Lieutenant/PREA Compliance Manager, who both stated that they complete unannounced rounds. The Lieutenant stated that the rounds are calendared ahead of time to be shared on a rotation basis by the four jail administrative team. The schedule is not shared with others. The auditor reviewed unannounced rounds reports to verify that rounds are conducted as their policy requires.

The auditor determined compliance with this standard through a review of the documents listed above, through direct observations of rounds, staffing patterns, observing staff lines of sight and watching staff monitor the facility both in person and the video monitoring at the control desks, through a review of the pre-audit questionnaire, interviews with the Sheriff, Jail Administrator/PREA Coordinator, and the Lieutenant/PREA Compliance Manager and through random interviews with staff and inmates. In informal conversations with inmates, many stated they felt safe here and that staff conduct rounds regularly, including managers.

<b>115.14 Youthful inmates</b>	
	<b>Auditor Overall Determination:</b> Meets Standard

	<p><b>Auditor Discussion</b></p> <hr/> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 PREA Prison Rape Elimination Act of 2003</li> <li>3. Policy 3-01 Classification</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>115.14 (a) -(c) Sight, sound separation and no physical contact with any adult inmate in housing areas</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 3-01 Classifications, which states that the facility will not detain or house juveniles, and Policy 6-10 PREA, which states that adjudicated delinquent youths charged with offenses are not housed in the SCCC. The auditor interviewed the Jail Administrator/PREA Coordinator, who stated that they do not house those under 18 years of age. The auditor reviewed the Inmate Roster to verify that there were no inmates under 18 years of age.</p>
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<b>115.15</b>	<b>Limits to cross-gender viewing and searches</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <hr/> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 PREA Prison Rape Elimination Act of 2003</li> <li>3. Policy 5-07 Clothed and Unclothed Searches</li> <li>4. Staff training records</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. Lieutenant/PREA Compliance Manager</li> <li>3. 10 random staff</li> <li>4. 16 random inmates</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.15 (a) No Cross Gender strip searches or cross-gender visual body cavity searches</b></p> <p><b>Compliance Determination:</b> The auditor interviewed staff and inmates and reviewed Policy 5-07 Clothed and Unclothed Searches, which states that cross-gender unclothed searches will not be conducted on male or female inmates absent except in exigent circumstances and without approval by shift sergeant. Licensed medical personnel may conduct cross-gender unclothed body searches, which shall be documented. There have been no cross-gender strip searches or cross-gender visual body cavity searches. Staff routinely answered that they do not conduct cross-gender</p>

strip searches or visual body cavity searches. The auditor observed the area used to conduct searches and noted that it was private to prevent cross-gender viewing.

**115.15 (b) No Cross-Gender pat-down searches of female inmates**

**Compliance Determination:** The auditor interviewed both staff and inmates, who consistently stated that cross-gender pat-down searches are not done. The auditor also reviewed the policy that states that cross-gender clothed (pat-search) searches will not be conducted except in exigent circumstances and with approval by shift sergeant. Staff consistently stated that there were both male and female staff on duty at all times to complete searches by a staff of the same gender as the inmate. The auditor observed the pat search area. There is good camera coverage in this area.

**115.15 (c): Document Cross-Gender Searches**

**Compliance Determination:** Interviews with administrators and staff and a review of policy confirmed that if there were a cross-gender search conducted in an exigent circumstance, they would document this in the control room electronic log. Staff will also complete an incident report that documents the search, staff witnesses, the exigent circumstances, and who approved the search.

**115.15 (d) Policies and Procedures for showers, bodily functions, and changing clothing**

**Compliance Determination:** The Stutsman County Correctional Center has policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without staff of the opposite gender viewing them in a state of undress except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures require staff of the opposite gender to announce their presence when entering an inmate housing unit. The auditor reviewed policy 6-10 (PREA) Prison Rape Elimination Act of 2003 and directly witnessed announcements while on the facility tour and throughout the audit and the practice was confirmed through both staff and inmate interviews. The auditor reviewed camera views throughout the facility while in the control room. All camera views were adequately blocked to ensure that inmates have privacy to toilet. Shower stalls have curtains for privacy, and inmates are required to change clothing during the shower process.

**115.15 (e) Not searching or examining transgender or intersex to determine genital status**

**Compliance Determination:** The auditor reviewed the policy, which states that staff will not search or physically examine a transgender or intersex inmate for the sole purpose of determining the inmate's genital status. If the inmate's genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records, or, if necessary, by learning that information as a part of a broader medical examination conducted in private by a medical practitioner. There were no inmates who identified as transgender present to be interviewed. The auditor interviewed the Jail Administrator/PREA Coordinator, the Lieutenant/PREA Compliance Manager, and the staff who conduct the intake and screening, who stated that information regarding sexual identity is asked during the booking process. Identity as a transgender or intersex person would be gathered through conversation with the

	<p>inmate, and then they would ask who they prefer to be pat-searched by, a male or a female staff.</p> <p><b>115.15. (f) Train staff on how to conduct cross-gender pat-down searches</b>  <b>Compliance Determination:</b> The auditor interviewed staff who consistently stated that they participate in cross-gender pat search training. The auditor confirmed this by reviewing employee training records.</p> <p>The auditor determined compliance with this standard through a review of the documents listed above, through direct observations while on the tour, and staff making verbal announcements when they entered housing of the opposite gender, through a review of the pre-audit questionnaire, interview with the Jail Administrator/PREA Coordinator, and the Lieutenant/PREA Compliance Manager, and through random interviews with staff and inmates. The auditor reviewed the camera coverage, and there is no camera in an area where inmates might be in a state of undress. The auditor also had informal conversations with inmates regarding their privacy during showering, toileting, and changing clothing.</p>
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<b>115.16</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>
	<b>Auditor Overall Determination:</b> Exceeds Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 PREA Prison Rape Elimination Act of 2003</li> <li>3. Policy 6-01 Inmates with Disabilities</li> <li>4. Policy 6-02 Limited English Proficient (LEP) Inmates</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Sheriff</li> <li>2. Jail Administrator/PREA Coordinator</li> <li>3. Lieutenant/PREA Compliance Manager</li> <li>4. 10 random staff</li> <li>5. 4 targeted interviews</li> </ol> <p><b>Findings by Provision:</b>  <b>115.16 (a) Inmates with disabilities equal opportunity</b>  <b>Compliance Determination:</b> The auditor verified the facility's use of interpreting services by telephone with Language Line to include American Sign Language services over video. In conversations with the Sheriff, the Jail Administrator/PREA Coordinator, the Lieutenant/PREA Compliance Manager, and staff, they will work with inmates who may have trouble reading or comprehension due to a disability or cognitive impairment. They read the information and explain it to them at a level they</p>

can understand. The auditor reviewed policy and training materials. They can also show the PREA video with subtitles and have written materials for inmates who may be deaf or hearing impaired. They will provide an amplified hearing device to inmates who may need hearing assistance. SCCC also has Adult Outreach Specialists from the ND School for the Deaf/Resource Center for the Deaf and Hard of Hearing present in-person training to their staff on effective ways to communicate with inmates who are deaf or hard of hearing. The auditor interviewed an inmate with a disability to ensure he understood the information as presented. Because the SCCC brings professionals to present in-person staff training on how to effectively communicate with people who are deaf or hard of hearing, the SCCC substantially exceeds the requirements of this standard.

**115.16 (b) Access for inmates LEP**

**Compliance Determination:** They have instructed all staff in the use of interpreting by telephone services with Language Line Solutions and provided the auditor with the number for their 24/7 interpretation service. The interpretive services can assist in the intake process, screening process, education on how to report, and translation during the investigative process. These procedures were confirmed during staff and inmate interviews. The auditor used Language Line Solutions for two inmate interviews as the inmates were Limited English Proficient. In addition, the auditor reviewed materials provided to inmates to include materials that are in both English and Spanish, as Spanish would be the language primarily encountered at this facility.

**115.16 (c) Not rely on inmate interpreters, readers, or other assistance**

**Compliance Determination:** The auditor reviewed the policy, which states they will not rely 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 auditor interviewed administrators and staff, and there have been no reported uses of inmate interpreters, readers, or assistants. They consistently stated that they would use their contracted interpreter service.

The auditor determined compliance with this standard through a review of the policies, use of the interpretation service, and through interviews with administrators, staff, and inmates. The auditor determined the SCCC exceeds compliance with regard to provision (a) of this standard as they go above and beyond by bringing in professional trainers to teach staff how to effectively communicate with the deaf and hard of hearing.

<b>115.17</b>	<b>Hiring and promotion decisions</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

**Documents Reviewed:**

1. Pre-Audit Questionnaire
2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003
3. Documentation of background checks for employees
4. Documentation of check with prior institutional employer
5. Documentation asking about previous sexual misconduct.

Interviews Conducted:

**1. Jail Administrator/PREA Coordinator**

**Findings by Provision:**

**115.17 (a) Not hire or promote, or enlist contractors who have engaged in sexual misconduct**

**Compliance Determination:** The auditor interviewed the Jail Administrator/PREA Coordinator, who confirmed their compliance with this policy. They conduct reference checks of previous institutional employers and ask the sexual misconduct questions of applicants. The auditor requested and received a random sample of employees in which these questions have been answered upon hire as well as requiring the acknowledgment of the newly hired employees' understanding that they have a continuing affirmative duty to disclose any such misconduct.

**115.17 (b) Consider sexual harassment incidents when hiring, promoting, or enlisting contractors**

**Compliance Determination:** The auditor reviewed the policy states that the SCCC considers any incidents of sexual harassment when determining whether to hire or promote anyone, or to enlist the services of any contractor, who may have contact with inmates. The auditor interviewed the Jail Administrator/PREA Coordinator and the Lieutenant/PREA Compliance Manager who confirmed their compliance with this policy by conducting reference checks with previous institutional employees and a review of a staff member's personnel record and PREA documentation for any incidents of sexual misconduct when considering an employee for promotion. The facility utilizes contractors for the contracted food service, and they conduct background checks and inquire about previous sexual misconduct.

**115.17 (c) Criminal Background Checks Before hiring new employees**

**Compliance Determination:** The auditor interviewed the Jail Administrator/PREA Coordinator who stated that they conduct criminal background checks on applicants before an offer of employment is made and on current employees when they are promoted. The auditor reviewed a random sample of employee files and found that the necessary background checks were run for new hires. The auditor requested and received the required documented information of inquiry made to a previous employer whether there were any previous substantiated allegations of sexual abuse or resignations pending an investigation of an allegation of sexual abuse for any employees who had previous institutional employment.

**115.17 (d) Criminal Background Checks Before enlisting services of contractors**

**Compliance Determination:** The auditor reviewed policy which states that they will

perform a criminal background records check before enlisting the services of any contractor or volunteer who may have contact with inmates. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that they will conduct criminal background checks before their services can be used at the facility. The facility utilizes contractors for the contracted food service, and they conduct background checks. The auditor reviewed a sample of contractor and volunteer background checks.

**115.17 (e) Criminal Background Checks every five years**

**Compliance Determination:** The auditor reviewed the policy, which states that employees who may have contact with inmates will be subject to a criminal background record check at least once every five years. The auditor requested and received a random sample of employees' criminal background checks. All were current within the last five years. The random sample included some background checks for veteran employees who had the most recent five-year update, as well as employees who had the background check run during the hiring process this past year.

**115.17 (f) Ask applicants and employees annually about previous sexual misconduct**

**Compliance Determination:** The auditor reviewed the employee acknowledgment forms that ask the required sexual misconduct questions outlined in provision (a) of this standard. These are completed upon hiring and as part of the annual employee review process. Policy 6-10 PREA Prison Rape Elimination Act of 2003 state that staff have a continuing affirmative duty to disclose any such misconduct.

**115.17 (g) Omissions or false information regarding sexual misconduct grounds for termination**

**Compliance Determination:** The auditor reviewed the policy, which states that false or incomplete information may lead to termination.

**115.17 (h) Provide information on substantiated sexual misconduct by former employees**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the SCCC will 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. The auditor interviewed the Jail Administrator/PREA Coordinator who verified that they do provide this information when requested.

The Stutsman County Correctional Center hiring and promotional processes were confirmed by a review of policy, employment, and contractor human resource records and an interview with the jail administrator who oversees all employment actions.

<b>115.18</b>	<b>Upgrades to facilities and technologies</b>
	<b>Auditor Overall Determination:</b> Meets Standard

	<p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Sheriff</li> <li>2. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.18 (a) Consider design or modification on ability to protect inmates</b>  <b>Compliance Determination:</b> The auditor reviewed the policy and interviewed the administrators who stated that they will always consider how any changes will contribute to their ability to protect inmates from sexual abuse. The auditor directly observed the facility and conducted interviews with the Sheriff and the Jail Administrator/PREA Coordinator, who stated that they consider the protection of inmates and the standards when contemplating upgrades to the facility or in the application of technology. They have not made any substantial modifications to their building since the last audit.</p> <p><b>115.18 (b): Consider how technology may protect inmates</b>  <b>Compliance Determination:</b> The auditor reviewed the policy and interviewed the administrators who stated that they always consider how technology, including cameras, may enhance their ability to protect inmates from sexual abuse. The auditor spoke with administrators who confirmed that they have added a Guardian rounds tracker system since the last audit.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and through interviews with the administrators.</p>
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<b>115.21</b>	<p><b>Evidence protocol and forensic medical examinations</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Investigative training certificates</li> <li>4. North Dakota Sexual Assault Evidence Collection Protocol</li> <li>5. MOU with Safe Shelter</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. 10 random staff</li> </ol>
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3. Administrative Investigator
4. Safe Shelter Rape Crisis Center

**Findings by Provision:**

**115.21 (a) Follow uniform evidence protocol**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the Stutsman County Sheriff's Office evidence protocol will be based on the North Dakota Sexual Assault Evidence Collection Protocol 5th edition adapted from the Sexual Assault Protocol developed by the United States Department of Justice. The auditor reviewed the training documentation and interviewed an administrative investigator to verify that all investigators are trained in uniform evidence protocol. The administrative investigators have completed courses from various organizations that all emphasize a uniform evidence protocol for collecting physical evidence - North Dakota DOCR and the National Institute of Corrections. Criminal investigations are completed by the Stutsman County Sheriff's Department.

**115.21 (b) Evidence protocol adapted "A National Protocol for Sexual Assault Medical Forensic Exams"**

**Compliance Determination:** The evidence protocol used by this facility is the North Dakota Sexual Assault Evidence Collection Protocol 5th edition adapted from the Sexual Assault Protocol developed by the United States Department of Justice.

**115.21 (c) Offer victims to forensic medical examinations**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states forensic medical examinations will be offered without financial cost to the victim. Forensic examinations will be conducted at Jamestown Regional Medical Center, unless exigent circumstances exist. Forensic medical exams are conducted by a SAFE or SANE within 96 hours of the incident. When a SAFE or SANE is not available, the examination may be performed by other qualified medical practitioners. The SCCC medical staff will document its efforts to provide SAFE or SANE. There have been no forensic medical exams conducted during the past 12 months. The auditor interviewed a random sample of staff to confirm they understand their responsibilities to preserve and protect evidence.

**115.21 (d) Make victim advocate available**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the SCCC medical staff or shift supervisor will contact the designated medical provider, who will initiate the Sexual Assault Response Team and request a victim advocate. The Jail Administrator stated they have a MOU with Safe Shelter to provide advocates, resources, and referrals, and the auditor confirmed this by reviewing the MOU and discussing with Safe Shelter staff. The program's number is a free call for inmates. The auditor also verified through viewing posters while on the facility tour, through a review of inmate training materials, and through random inmate interviews that the contact information for Safe Shelter is available to all inmates. The auditor verified it was a free call by calling the Safe Shelter from an inmate phone. The auditor reviewed the MOU with the Safe Shelter to verify their agreement to provide these services.

**115.21 (e) Victim advocate accompanies to forensic exam, interviews, emotional support etc.**

**Compliance Determination:** The auditor interviewed an advocate from the Safe Shelter who confirmed that they have an MOU with the facility and that they would provide the inmate with advocacy that included emotional support services either over the phone or in person, accompanying them to the hospital for support during a forensic exam, support during investigative interviews, and through the court process.

**115.21 (f) Request investigating agency follow provisions (a)-(e)**

**Compliance Determination:** The auditor interviewed the Jail Administrator/PREA Coordinator who stated that they will follow and request any external investigating agency follow uniform evidence protocol, offer victims forensic medical examinations free of charge, make a victim advocate available that can accompany the inmate during the forensic exam, in interviews and provide emotional support services.

**115.21 (g) Provisions (a)-(e) apply to State and DOJ investigators**

**Compliance Determination:** The auditor interviewed the Jail Administrator/PREA Coordinator, who stated that they and any other investigatory entity would always be required to protect and collect the evidence, offer a SANE forensic examination, and provide an advocate.

**115.21 (h) Qualified agency staff member screened and educated to advocate**

**Compliance Determination:** The auditor reviewed the policy, which states that if or when a rape crisis center is not available to provide victim advocate services, the facility provides a qualified agency staff member, or qualified community-based organization staff member. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that the advocate is typically provided by the local rape crisis center. All staff consistently stated that they would use the Safe Shelter for advocacy services.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of policy, and the documentation as stated in each provision above. The auditor also drew on interviews with the PREA Coordinator, the local rape crisis center, and interviews with random staff.

<b>115.22</b>	<b>Policies to ensure referrals of allegations for investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<b>Documents Reviewed:</b> 1. Pre-Audit Questionnaire 2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 3. Administrative Investigation Reports

4. Stutsman County website

**Interviews Conducted:**

1. Sheriff
2. Jail Administrator/PREA Coordinator
3. Administrative Investigator

**Findings by Provision:**

**115.22 (a) Administrative or criminal investigation completed for all allegations**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the SCCC will ensure an administrative or criminal investigation is completed for all allegations of sexual abuse and sexual harassment. The auditor interviewed the Sheriff and the Jail Administrator/PREA Coordinator, who both confirmed that investigations would always be completed and outlined the process for both referrals for investigations and starting the investigative process.

**115.22 (b) Policy to ensure all allegations are referred for investigation on website**

**Compliance Determination:** The auditor reviewed the SCCC website at <https://www.stutsmancounty.gov/files/PREA-policy-and-procedures.pdf> which has the Policy 6-10 (PREA) Prison Rape Elimination Action of 2003 in its entirety to include the section with the requirement to refer all allegations for investigation, that the SCCC is responsible for administrative investigations and the Stutsman County Sheriff's Office is responsible for conducting criminal investigations, and outlines the investigative procedures on pages 35 through 37.

**115.22 (c) Investigation policy describes responsibilities for conducting criminal investigation**

**Compliance Determination:** The auditor verified through policy and through interviews with the Jail Administrator/PREA Coordinator that an administrative or criminal investigation is completed for all allegations of sexual violence, sexual misconduct, sexual harassment, or retaliation. The Jail Administrator will determine when the evidence is sufficient for criminal prosecution and will refer appropriate incidents to the Stutsman County Sheriff's Office, and these referrals will be documented. The auditor reviewed two reported allegations and interviewed the Sheriff, the Jail Administrator/PREA Coordinator, and an administrative investigator who corroborated compliance with the standard and the facility's policies.

**115.22 (d) Any State entity responsible for investigation shall have a policy governing conduct**

**Compliance Determination:** Any investigations will be conducted either by an administrative investigator within the facility or by a criminal investigator from the Sheriff's department.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of the PREA policy, a review of two investigative reports, and through interviews with the Sheriff, the Jail Administrator/PREA Coordinator, and an

	administrative investigator.
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<b>115.31</b>	<b>Employee training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. PREA Employee training curriculum</li> <li>4. Staff training records</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. 10 random staff</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.31 (a) Train all employees</b>  <b>Compliance Determination:</b> The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the SCCC trains all employees during orientation and every two years thereafter on the ten components required in this standard. The auditor reviewed the curriculum and interviewed a random sample of ten staff, which included both veteran and newly hired staff. All staff interviewed knew the required components regarding PREA as well as the current sexual abuse and sexual harassment policies and procedures.</p> <p><b>115.31 (b) PREA Training tailored to gender of inmates</b>  <b>Compliance Determination:</b> The auditor reviewed the training policy, which states that the PREA training will be tailored to the gender of the inmates. Staff were able to state during the interviews the differences in supervising male vs. female inmates. Several staff stated that many of the male inmates' motivations are about power and control and as a form of manipulation to get what they want through strongarming or threats while female inmates' motivations were more about relationships, recreating family units or just making a connection with someone. Several staff interviewed stated that although they are taught different motivators for sexual misconduct, those type of things generally do not occur at this facility.</p> <p><b>115.31 (c) PREA Refresher training every two years and on policy in year when no refresher</b>  <b>Compliance Determination:</b> The auditor interviewed the Jail Administrator/PREA Coordinator who stated that they have a comprehensive PREA orientation for all newly hired employees, a classroom PREA refresher training every two years, and conduct annual training on Corrections One which includes policy review and many other topics and occasionally they hold other classes such as working with the deaf and hard of hearing. Interviews with staff also confirmed that they have an initial</p>

PREA training when they are hired. They are provided with some type of training annually on different subjects, but always a policy review. Sometimes the training is through Corrections One, it can be a refresher, or a video, a module on a specific subject or an in-person training either through a presenter or a staff trainer that goes over a PREA PowerPoint. During interviews, staff were knowledgeable in the required competencies and stated that they have some form of PREA training every year that includes a basic refresher on the main PREA components with additional training components added occasionally on their e-learning about more narrow topics. Occasionally they will send out a weekly trainer refresher and sometimes that is on PREA topics. Many staff also mentioned that when they attend the Correctional Officer Basic course they also cover PREA and cross-gender pat searches.

**115.31 (d) Document all staff training**

**Compliance Determination:** The auditor interviewed the Jail Administrator/PREA Coordinator, and random staff and reviewed the training documentation. Some are electronic training records for courses they completed through software and some documentations are signed rosters which included the name of the employee, the title of the training such as the classroom with PowerPoint training roster, the orientation training documentation for new employees, and Cross-Gender and Transgender Pat Search training, and the date the training was completed.

The auditor determined compliance with this standard through a review of the training policy, a review of the pre-audit questionnaire, a review of the curriculum, and a review of training records. The auditor also confirmed these policies and procedures through interviews with the Jail Administrator/PREA Coordinator and staff.

<b>115.32</b>	<b>Volunteer and contractor training</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Contractor training documentation</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. 1 Contractor</li> <li>3. 2 Volunteers</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.32 (a) PREA Training for all volunteers and contractors</b></p> <p><b>Compliance Determination:</b> The auditor reviewed the PREA policy, which states that the SCCC Administrative Officer will ensure all volunteers and contractors who have contact with inmates will be trained on their responsibilities regarding sexual</p>

abuse and sexual harassment with inmates. The auditor interviewed one contractor of the three contractors currently in service at the facility. The auditor interviewed two volunteers of the 24 volunteers at this facility. During the interview, the volunteers confirmed that they had completed the training which included going over the PREA information to include a PREA presentation and video, Anatomy of a Set-Up presentation and video, and receiving information that they can keep including the Volunteer Handbook, and the SCCC Ethics and Standards policy. The food service contractors participated in the same PREA training attended by staff. The company for the food service contractor also has several in-depth training modules on PREA that they are required to complete through their company.

**115.32 (b) Level and type of training based on level of service and contact Compliance Determination:** The auditor spoke with the Jail Administrator/PREA Coordinator who stated that the level and type of training is based on the services they provide and the level of contact they have with inmates, but all are taught at a minimum about the zero-tolerance policy regarding sexual abuse, sexual assault/rape, sexual misconduct and sexual harassment and informed how to report such incidents.

**115.32 (c) Document all volunteer and contractor training Compliance Determination:** The auditor reviewed documentation confirming contractor training. The documentation included a signature sheet acknowledging that they received the volunteer training packet, and the Volunteer/Contractor Handbook Acknowledgement form. They also sign the PREA Compliance Acknowledgment form that provides the definitions of Sexual Abuse, Sexual Harassment, and Voyeurism and requires that they sign to acknowledge that they read and understand the requirements of PREA, acknowledge SCCC's zero-tolerance policy, and that they must immediately report any information or knowledge of sexual abuse or sexual harassment to a SCCC staff member in writing or verbally.

The auditor determined compliance with this standard through a review of the training policy, a review of the pre-audit questionnaire, a review of the curriculum, and a review of training records. The auditor also confirmed these policies and procedures through interviews with the Jail Administrator/PREA Coordinator, a contractor, and two volunteers.

<b>115.33</b>	<b>Inmate education</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Policy 6-01 Inmates with Disabilities</li> </ol>

4. Policy 6-02 Limited English Proficient (LEP) Inmates.
5. Posters posted throughout the facility
6. 16 PREA Inmate Orientation forms signed by inmates
7. 11 Comprehensive Intake Education forms signed by inmates

**Interviews Conducted:**

1. Jail Administrator/PREA Coordinator
2. Intake Staff
3. 16 random inmates

**Findings by Provision:**

**115.33 (a) Inmates receive PREA training at intake**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that during intake, inmates will receive information explaining the agency's zero tolerance policy regarding sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment. The auditor reviewed training information provided to the inmates, had a staff who conducts intakes go over the process, and discussed the information presented during intake with the inmates who were interviewed. During booking the staff inform them that there is a zero tolerance policy and that they can report verbally to any staff, contractor, or volunteer, in writing, through electronic request or grievance through the kiosk, or to the Jamestown Police Department, or if a BOP or USM inmate, to the office of the Inspector General, They point out the items discussed on the sheet and then the inmate signs the acknowledgement form and the staff who completed their orientation signs the form. The inmate can be provided with a copy of the document they sign, but most inmates decline to take the sheet and mark that they declined to take a copy. Everyone that comes into the facility completes the same, full, PREA intake process regardless of where they came from - even if they just had PREA information at their previous placement. The inmates' education was evident in the inmates' responses during the interviews.

**115.33 (b) Within 30 days of intake provide comprehensive education**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that within 30 days of intake, the facility will provide comprehensive education to all inmates. The auditor interviewed staff that complete the comprehensive education. process. They stated that the staff enters the housing unit to educate those that are due. They tell them that they are going to show the PREA video, but many of the inmates decline to watch it. The staff then goes over verbally the acknowledgement form that is printed with the components of this provision - zero tolerance, that it is a right to be free from sexual abuse or sexual harassment, how to report, the right to be free from retaliation, and how the SCCC responds. The inmate and the staff who presented the information both sign the form that states that these specific items were covered. The staff note at the bottom of the form if the inmate declined to watch the video. The auditor interviewed inmates who confirmed the comprehensive education procedure and also stated that they declined to watch the video and were not coerced or prompted to decline to watch the video. The auditor and the administrators discussed various ways they could present the video to gain more participation. The methods discussed included playing the video

at a certain time twice each month either on the unit or during recreation time, or inquiring if their kiosk vendor can load it onto their system so that the video has to be watched when they log in to the kiosk system.

**115.33 (c) Receive education upon transfer to extent policies and procedures differ**

**Compliance Determination:** The auditor interviewed the administrators and random inmates who confirmed that everyone that comes into the facility completes the same, full, PREA intake process and comprehensive education process regardless of where they came from - even if they just had PREA information at their previous placement.

**115.33 (d) Inmate training in formats accessible to all, including LEP, and those with disabilities**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmate PREA education is available in accessible formats for all inmates including those who are limited English proficient; deaf; visually impaired or otherwise disabled or limited in their reading skills. The auditor also reviewed policies 6-01 Inmates with Disabilities and 6-02 Limited English Proficient (LEP) Inmates. The facility's efforts include posters in Spanish and various ways of presenting the orientation material dependent upon the disability. The facility will provide translation services for inmates who need either the information in other languages or sign language. The information will be communicated orally and in written form in a manner that is clearly understood by the inmate, including those who are limited English proficient, deaf, visually impaired, or otherwise disabled as well as inmates who have limited reading skills. The auditor interviewed two inmates who were limited English proficient through the use of the facility's contracted interpreter service. The auditor also interviewed an inmate who stated that he had a learning disability. These inmates confirmed that the staff made the information available to them in a way that they understood and confirmed that they were aware that services are available to them at any time. Staff stated they will read the material aloud to inmates who may need assistance due to visual impairments, learning disabilities, literacy or comprehension problems, or other reasons that require staff to give them specialized training.

**115.33 (e) Document all inmate education**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC shall maintain documentation of inmate participation in these education sessions. The auditor interviewed intake staff and reviewed inmate training documentation. The orientation information and the comprehensive information is explained to them, they are allowed to keep copies of the materials, and the inmate signs that they received and understood the information presented to them.

**115.33 (f) Key information continuously and readily available**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the SCCC ensures key information is continuously and readily available or visible to inmates through posters and inmate

	<p>handbooks. The auditor interviewed the staff and the inmates and was advised that the inmate is offered to keep a copy of the PREA information provided to them although many inmates decline to take it. There are also posters throughout the facility so that there is readily available information that outlines how to report and how to contact external resources for both support and reporting.</p> <p>The auditor verified compliance with this standard through a review of the inmate training information and signed inmate training documentation. The auditor also confirmed these policies and procedures through interviews with the Jail Administrator/PREA Coordinator, intake staff, and random inmates.</p>
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<b>115.34</b>	<b>Specialized training: Investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Training certificates of Specialized Investigator Training</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. Administrative Investigator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.34 (a) Specialized training for administrative investigators</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that investigators who investigate allegations of sexual abuse are trained in conducting sexual abuse investigations in confinement settings. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that there are nine trained administrative investigators for the facility. The auditor interviewed the lieutenant who is an administrative investigator. He either assigns the allegation for investigation to one of the other investigators and oversees their investigative process or investigates the allegation. He is knowledgeable in investigative techniques in a confinement setting and the relevant requirements in this standard.</p> <p><b>115.34 (b) Investigator training includes Miranda and Garrity, evidence collection, etc.</b>  <b>Compliance Determination:</b> The auditor reviewed the training curriculum and interviewed an administrative investigator to confirm that the training contains the required components.</p> <p><b>115.34 (c) Document specialized investigator training</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape</p>

	<p>Elimination Act of 2003 which states the SCCC Training Coordinator maintains documentation that agency investigators have completed the required specialized training in conducting sexual abuse investigations. The auditor reviewed training certificates for investigators to confirm that they documented the required training. Investigators have received training certificates from the North Dakota Department of Corrections and Rehabilitation course PREA Investigator Training and certificates from the National Institution of Corrections course Investigating Sexual Abuse in a Confinement Setting.</p> <p><b>115.34 (d) State or DOJ investigators specialized training</b>  <b>Compliance Determination:</b> The auditor interviewed the Jail Administrator/PREA Coordinator who stated that if an outside state or DOJ investigator is brought in to investigate, SCCC will ensure that all investigators have received training and experience in sexual abuse investigations.</p> <p>The auditor verified compliance with this standard through a review of the investigator training information and training certificates. The auditor also confirmed these policies and procedures through interviews with the Jail Administrator/PREA Coordinator, and the through an interview with an administrative investigator.</p>
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<b>115.35</b>	<b>Specialized training: Medical and mental health care</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Training certificates from the National Institute of Corrections</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. Nurse</li> </ol> <p><b>Findings by Provision:</b>  <b>115.35 (a) Specialized training for medical and mental health staff</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states all SCCC medical and behavioral health care practitioners are trained in the following: 1) How to detect and assess signs of sexual abuse and sexual harassment; 2.) How to preserve physical evidence or sexual abuse; 3.) How to respond effectively and professionally to victims of sexual abuse and sexual harassment; and 4.) How and to whom to report allegations or suspicions of sexual abuse and sexual harassment. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that they have one registered nurse. There are no mental health care staff at this facility. The auditor interviewed the nurse who stated she has completed specialized training to include the National Institute of</p>

	<p>Corrections course PREA: Medical Health Care for Sexual Assault Victims in a Confinement Setting and the Behavioral Health Care for Sexual Assault victims in a Confinement Setting. She was well versed in how to preserve physical evidence; how to detect and assess signs of sexual abuse and sexual harassment; 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><b>115.35 (b) Medical and mental health staff who conduct forensic examinations receive appropriate training</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states forensic exams will be conducted at Jamestown Regional Medical Center. SCCC medical staff will not conduct forensic exams except in exigent circumstances. The auditor interviewed the nurse who stated that all inmates who would report a sexual assault are transported to the local hospital with SANE services.</p> <p><b>115.35 (c) Document specialized training for medical and mental health staff</b></p> <p><b>Compliance Determination:</b> The auditor reviewed training certificates for the nurse to confirm that she has documentation of the required specialized training. She has received training certificates from the National Institute of Corrections courses PREA: Medical Health Care for Sexual Assault Victims in a Confinement Setting and Behavioral Health Care for Sexual Assault victims in a Confinement Setting.</p> <p><b>115.35 (d) Medical and mental health staff also receive training mandated for employees</b></p> <p><b>Compliance Determination:</b> The auditor reviewed training documentation to verify the nurse participated in the same PREA classroom instruction as mandated for other employees of this facility.</p>
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<b>115.41</b>	<b>Screening for risk of victimization and abusiveness</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Random sample of 16 initial PREA Risk Assessments</li> <li>4. Random sample of 11 30-day PREA Risk Assessments</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. PREA Compliance Manager</li> <li>3. 16 random inmates</li> </ol>

4. Staff member who administers the risk assessment

**Findings by Provision:**

**115.41 (a) All inmates assessed during intake**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which requires that an intake risk assessment/screening will be completed within 24 hours of arrival at the facility for risk of being sexually abused by other inmates or sexually abusive toward other inmates. The auditor also interviewed a staff member who walked the auditor through the screening process. The auditor interviewed a random sample of inmates who stated that they were all assessed upon intake. The auditor reviewed a random sample of the Intake PREA Risk Assessment.

**115.41 (b) Intake screening within 72 hours of arrival**

**Compliance Determination:** The SCCC policy requires that all inmates are assessed within 24 hours of arrival at the facility. The auditor interviewed both staff and inmates and reviewed the screening documentation to verify that the screening occurs within 24 hours of arrival. The auditor compared the date of the inmates' intake with the date of the initial PREA Risk Assessment. All inmates were assessed even if they were transferred from another facility.

**115.41 (c) Objective screening**

**Compliance Determination:** The screening is completed through the use of an interview using the Intake PREA Risk Assessment form. The form includes all questions required of this standard. The assessment used is objective and leads to a presumptive determination of risk using a point system. Questions are weighted depending on the seriousness and correlation to a propensity to victimize or be victimized. An offender scores a specified point value based on the questions answered and other factors such as a record review of offense history or a substantiated sexual assault or sexual abuse investigation or a history of sexual victimization within a correctional setting. The score value determines the outcome of risk for Sexual Victimization or risk for Sexual Aggression.

**115.41 (d) Screening criteria for risk of sexual victimization**

**Compliance Determination:** The auditor reviewed the Intake PREA Risk Assessment. The assessment considers mental, physical, or developmental disabilities, age, physical build, if this is the first time incarcerated, if the inmate identifies as lesbian, gay, bisexual, transgender, intersex, or gender non-conforming, if they have a history of sexual victimization either in the community or in a corrections setting, or fear for their personal safety or sexual victimization, if there criminal history is exclusively non-violent. These answers are used in assessing inmates for risk of being sexually victimized. The auditor reviewed sample assessments. The screening considers the criteria to assess inmates for risk of sexual victimization as required by the standard. The auditor interviewed the staff who administers the assessment.

**115.41 (e) Screening criteria for risk of being sexually abusive**

**Compliance Determination:** The auditor reviewed the Intake PREA Risk

Assessment. The assessment considers prior acts of sexual abuse, prior convictions for violent offenses, and history of prior institutional violence or sexual abuse, in assessing inmates for risk of being sexually abusive.

**115.41 (f) Reassessment within 30 days of intake**

**Compliance Determination:** The auditor interviewed both staff and inmates and reviewed a sample of the PREA Risk Assessment – Re-Assessment form to verify that the screening occurs again within 30 days of arrival. The auditor compared the date of the inmates’ intake with the date of the 30-day reassessments. All inmates within the sample were reassessed within 30 days of arrival.

**115.41 (g) Reassessment when referred, requested, incident of sexual abuse or additional info**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states an inmate’s risk level shall be reassessed when warranted due to a referral, request, incident of sexual abuse or harassment, or receipt of additional information that bears on the inmate’s risk of sexual victimization or abusiveness.

**115.41 (h) Inmates not disciplined for refusing to answer regarding disabilities, LGBTI, previous sexual victimization, perception of vulnerability**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that inmates may not be disciplined for refusing to answer, or for not disclosing complete information in response to, questions asked during the intake screening or assessment. The auditor reviewed assessments and noted that one inmate did not want to answer a question regarding previous sexual abuse history. This was noted on the assessment and the auditor found no evidence either through disciplinary reports or through interviews with staff that she was disciplined for refusing to answer the question.

**115.41 (i) Appropriate controls on dissemination of reassessment information**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the SCCC will implement appropriate controls on the dissemination within the facility of responses to questions asked in order to ensure that sensitive information is not exploited to the inmate’s detriment by staff or other inmates. The assessment is maintained within the inmate’s file. As this is a small facility all security staff and jail administrators have access to the assessment as they are required to either administer the assessment or reference it due to housing changes. The PREA Coordinator, the PREA Compliance Manager, and staff who administers the assessment stated they conduct the screening away from others and maintain the files in a controlled manner. Documents stored electronically are stored in a secure drive that requires a password to access and file cabinets are locked.

The auditor verified compliance with this standard through a review of a sample of assessment and re-assessment documents, and interviews with staff and inmates.

<b>115.42</b>	<b>Use of screening information</b>
	<p data-bbox="256 188 959 221"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="256 266 544 300"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="256 344 612 378"><b>Documents Reviewed:</b></p> <ol data-bbox="256 383 1066 539" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Random sample of 16 initial PREA Risk Assessments</li> <li>4. Inmate Roster</li> </ol> <p data-bbox="256 580 617 613"><b>Interviews Conducted:</b></p> <ol data-bbox="256 618 850 741" style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. PREA Compliance Manager</li> <li>3. Staff who administers the Assessments</li> </ol> <p data-bbox="256 781 612 815"><b>Findings by Provision:</b></p> <p data-bbox="256 819 1406 898"><b>115.42 (a) Assessment info used for housing, bed, work, education, and program assignments</b></p> <p data-bbox="256 902 1481 1653"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states prior to housing, work, and program assignments, staff will review alerts within the electronic jail information system to keep separate inmates who have been identified as high-risk of being sexually victimized from inmates identified as high-risk of being sexually abusive to ensure sexual safety of identified groups. The auditor interviewed the PREA Compliance Manager who stated the information from the risk screening is utilized to determine housing and other program decisions. He stated that they put the information into the jail management system with an alert as either Vulnerable or Sexually Aggressive. The PREA Compliance Manager stated that they choose the most appropriate housing for their safety and that their system will flag an alert that states whether they are sexual aggressive or vulnerable. The auditor reviewed the management system and noted that there was one inmate screened as Vulnerable. There were no inmates with an alert of sexually aggressive. There were other alerts such as escape risk, gang affiliation, separation issues, sex offender status, violent, and suicidal. The auditor reviewed inmate risk screenings and inmate housing assignments to ensure that inmates with the potential for sexual perpetration are not housed with inmates assessed to have the potential to be victimized.</p> <p data-bbox="256 1693 911 1727"><b>115.42 (b) Individualized determinations</b></p> <p data-bbox="256 1731 1481 2056"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 that states the SCCC shall make individualized determinations about how to ensure the safety of each inmate by utilizing the intake risk assessment/screening and alerts in the electronic jail information system. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that the screening helps to ensure the decisions are based on what will keep them safe. They determine this through the screening when they arrive and their criminal history. He stated that they ask all inmates if they fear for the safety, not just from sexual abuse but from physical harm,</p>

and the answer is noted on the Risk Assessment. He stated that they look at everyone's placement, both the inmate being interviewed and the safety of all the other inmates.

**115.42 (c) Case-by-case basis on a transgender or intersex inmate's housing and programming assignments**

**Compliance Determination:** The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states in deciding whether to assign a transgender or intersex inmate to a housing unit for male or female inmates, and in making other housing and programming assignments, the supervisor shall consider on a case-by-case basis whether a placement would ensure the inmate's health and safety, and whether the placement would present management or security problems. This was confirmed through interviews with the Jail Administrator/PREA Coordinator and the PREA Compliance Manager. There were no inmates who identified as transgender, or intersex housed in the facility while the auditor was onsite.

**115.42 (d) Transgender or intersex inmates reassessed at least twice each year**

**Compliance Determination:** The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states housing placement and programming assignments for each transgender or intersex inmate shall be reassessed at least every six (6) months from the date of intake to review any threats to safety experienced by the inmate. The Administrator (PREA coordinator) will complete the reassessments using a Transgender and Intersex Inmate Housing and Program Placement Reassessment form. The form will be maintained in the inmate file.

**115.42 (e) Transgender or intersex inmate's own views given serious consideration**

**Compliance Determination:** Both the policy and the interview with the Jail Administrator/PREA Coordinator and the PREA Compliance Manager confirmed that a transgender or intersex inmate's own view with respect to his or her own safety shall be given serious consideration.

**115.42 (f) Transgender or intersex inmates opportunity to shower separately**

**Compliance Determination:** The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states transgender and intersex inmates must have the opportunity to shower separately from other inmates. Inmates who identify themselves as transgender or intersex during the intake screening may request to shower separately from other inmates. While on the tour the Jail Administrator/PREA Coordinator stated that all of the housing units have individual shower units. If there needed to be more privacy, the inmate can be brought to the booking area to shower.

**115.42 (g) LGBTI inmates not placed in dedicated facilities, units, or wings on such identification**

**Compliance Determination:** The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that lesbian, gay, bisexual, transgender, or intersex inmates shall not be placed in dedicated facilities, units, or wings solely on

	<p>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 auditor interviewed the Jail Administrator/PREA Coordinator who stated that the housing decision starts with the shift supervisor. They do not have units designated or dedicated for housing inmates who identify as LGBTI. An inmate’s LGBTI status is not criteria for the housing decision unless it is as an overall part of the point criteria in the assessment that signifies their vulnerability. Inmates who are identified as being more vulnerable during the assessment would not be housed with inmates who have the potential to perpetrate sexual abuse.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of the PREA Policy, a review of screening documents and evaluating the inmate roster with housing assignments and through interviews with the Jail Administrator/PREA Coordinator, the Jail Administrator/PREA Coordinator and the staff who administers the assessment.</p>
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<b>115.43</b>	<b>Protective Custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.43 (a) Inmates at risk not placed in involuntary segregate housing unless no available means of separation</b></p> <p><b>Compliance Determination:</b> The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmates at high risk for sexual victimization will not be placed in involuntary segregated housing unless an assessment of all available alternatives has been made, and a determination has been made that there is no available alternative means of separation from likely abusers. If assessment can’t be completed immediately, the inmate may be held in involuntary segregated housing for less than 24 hours while assigned staff completes the assessment.</p> <p><b>115.43 (b) Inmates segregated for this purpose have access to programs, privileges, education and work opportunities if possible</b></p> <p><b>Compliance Determination:</b> The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmates placed in segregated housing for this purpose shall have access to programs, privileges, education, and work</p>

opportunities to the extent possible. If access is restricted to programs, privileges, education, or work opportunities, staff will document: the opportunities that have been limited; the duration of the limitation; and the reasons for such limitations.

**115.43 (c) Involuntary segregated housing only until an alternative means of separation can be arranged and to exceed 30 days**

**Compliance Determination:** The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmates will only be assigned to involuntary segregated housing until an alternative means of separation from likely abusers can be arranged. The assignment may not ordinarily exceed a period of 30 days.

**115.43 (d) If involuntary segregated housing made pursuant to provision (a), document the basis and the reason why no alternative means can be arranged**

**Compliance Determination:** The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states if an involuntary segregated housing assignment is made pursuant to substandard 115.43 (a) of this section, the facility shall clearly document: the basis for the concern for the inmate’s safety; and the reason why no alternative means of separation can be arranged. Every 30 days, the PREA compliance manager will afford each inmate a review to determine whether there is a continuing need for separation from the general population.

The auditor interviewed the Jail Administrator/PREA Coordinator who confirmed that inmates at high risk for sexual victimization are not placed into protective custody unless the inmate cannot be protected by any other means. A review of status for protective custody would be completed at a minimum of every 30 days. They have not placed any alleged inmate victims of sexual abuse or sexual harassment in involuntary segregated housing.

<b>115.51</b>	<b>Inmate reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Posters</li> <li>4. Staff training documents</li> <li>5. Inmate training documents</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. 10 random staff</li> <li>3. 16 random inmates</li> </ol>

**Findings by Provision:****115.51 (a) Multiple internal ways to report**

**Compliance Determination:** The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the SCCC allows for internal reporting, by inmates, to report privately to agency officials about sexual abuse, sexual harassment, staff neglect or responsibilities contributing to sexual abuse or sexual harassment, and retaliation by other inmates or staff for reporting sexual abuse or sexual harassment. Inmates can report in the following ways: verbal reporting to any staff member. Staff will document the verbal report immediately on an incident report and forward to PREA compliance manager or PREA coordinator; electronic request or grievance; electronic PREA report; third-party reporting. The auditor interviewed staff and inmates, reviewed policy, and toured the facility. The auditor interviewed inmates who provided multiple ways that they could report internally. Many inmates stated that they would send an electronic request on the kiosk or the tablet. The facility provided multiple examples of inmates communicating with staff through the kiosk reporting system. The auditor requested an inmate walk through the kiosk system to show what was available to them and to test the kiosk as a means of reporting to staff. Several stated that they would tell a staff within the facility that they trust. Both from observations and through interviews with the inmates it is apparent that most inmates have a staff at the facility that they trust to do the right thing for them and have multiple internal ways to report.

**115.51 (b) At least one way to report to an external entity**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC allows for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency in the following ways: Jamestown Police Department, 205 6th Street S.E. #101 Jamestown, ND 58401 Call (701) 251-6229 # on any inmate phone (Toll free, not recorded, may remain anonymous); BOP and USM Inmates; Office of Inspector General, U.S. Department of Justice, 950 Pennsylvania Ave. Room 4706, Washington D.C. 20530. Mail sent to the JPD, BOP, & USM addresses will not require an inmate name in the return address, may be sealed outside staff presence and will not be opened by facility staff. Inmates detained solely for civil immigration purposes are provided information on how to contact relevant consular officials and relevant officials of the Department of Homeland Security. This information is posted in the booking area, and available in the inmate handbook. The auditor interviewed 16 random inmates and three of the 16 stated they would either use an outside external agency or a third-party outside of the facility. Inmates stated that the reporting information was available on the posters, in their handbook, and on the kiosk. The auditor performed a test call to the Jamestown Police and verified that they would take calls from the Stutsman County Correctional Center inmates and report the information immediately to the Jail Administrator and allow the inmate to remain anonymous upon request. The dispatcher said they had an instruction sheet that told them exactly what they needed to do if they receive a call from an inmate at the jail regarding a report of sexual abuse.

**115.51 (c) Staff accept reports made**

	<p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that reports can be made via a verbal report to any staff member and that the staff member will document the verbal report immediately on an incident report and forward to PREA compliance manager or PREA coordinator. The auditor interviewed random staff who confirmed this procedure. The auditor interviewed the administrators and staff who stated that staff accepts reports any way that it is reported.</p> <p><b>115.51.(d) Method for staff to privately report</b></p> <p><b>Compliance Determination:</b> The auditor reviewed the reporting policy and interviewed staff to confirm that staff can privately report sexual abuse and sexual harassment in person, via e-mail, or phone to any supervisory staff. Staff are also informed that they can report anonymously in writing to the same external entities that the inmates use.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA Policy, a review of posters, the inmate training materials for both staff and inmates, a test call placed to the Jamestown Police Department, and through interviews with the Jail Administrator/PREA Coordinator, and a random sample of staff and inmates.</p>
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<b>115.52</b>	<b>Exhaustion of administrative remedies</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Policy 14-07 Inmate Grievance Procedure</li> <li>4. Inmate training materials</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.52 (a) Exempt if no administrative procedures to address sexual abuse grievances</b></p> <p><b>Compliance Determination:</b> The auditor interviewed the Jail Administrator/PREA Coordinator and reviewed both the PREA policy and the Inmate Grievance Procedure policy which confirm that the grievance procedure may be used to address sexual abuse grievances. Inmates are educated on multiple ways in which to report complaints/allegations of sexual violence which includes the grievance process.</p> <p><b>115.52 (b) No time limit; do not have to attempt informal resolution; does not restrict agency's ability to defend against inmate lawsuit on grounds</b></p>

**statute of limitations has expired**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 that states there is no time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse. Inmates are not required to use an informal grievance process or to otherwise attempt to resolve with staff an alleged incident of sexual abuse. The auditor reviewed Policy 14-07 Inmate Grievance Procedure which states in section B. Emergency grievances which also states there is no time limit on when an inmate may submit a grievance regarding an allegation of sexual abuse. Inmates are not required to use a formal grievance process or to otherwise attempt to resolve with staff an alleged incident of sexual abuse and directs to policy and procedure in Policy 6-10 (PREA) Prison Rape Elimination Act of 2003; Section 5.A. regarding specific rules regarding the grievance process regarding allegations of sexual abuse. The auditor reviewed the Inmate Handbook on pages 14-15 which has the same language as the Inmate Grievance Procedure policy and refers them to the PREA policy on specific guidance related to filing a grievance that alleges sexual abuse.

**115.52 (c) Not submit to staff who is subject of complaint; not referred to staff who subject of complaint**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 that states the SCCC ensures 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; and such Grievance is not referred to a staff member who is the subject of the complaint.

**115.52 (d) Final agency decision within 90 days of initial filing of the grievance**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 that states the Jail Administrator will issue a final decision on the merits of any portion of a grievance alleging sexual abuse within 90 days or the initial filing of the grievance. Computation of the 90-day time period must not include time consumed by inmates in preparing any administrative appeal. The Jail Administrator may claim an extension of time to respond, up to 70 days, if the normal time period for response is insufficient to make an appropriate decision. The investigating officer shall notify the inmate in writing of any extension and provide a date by which a decision will be made.

**115.52 (e) Third parties permitted to assist in filing grievance alleging sexual abuse or filing on behalf**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 that states third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, shall be permitted to assist inmates in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be 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. If the inmate declines to

have the request processed on his or her behalf, the assigned investigator shall document the inmate's decision and verify it by inmate signature. This document will be placed in the inmate's file.

**115.52 (f) Procedures for filing an emergency grievance**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 that states an inmate may file an emergency grievance alleging an inmate is subject to a substantial risk of imminent sexual abuse. Once received, staff shall immediately forward the grievance (or any portion thereof that alleges the substantial risk of imminent sexual abuse) to the Jail Administrator for which immediate corrective action may be taken. The Jail Administrator will provide an initial response within 48 hours and will issue a final decision within five (5) calendar days. The initial response and final decision will document the SCCC's determination whether the inmate is in substantial risk or imminent sexual abuse and the action taken in response to the emergency grievance. This document will be placed in an inmate's file.

**115.52 (g) May discipline only if demonstrates the inmate filed in bad faith**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 that states an inmate may be disciplined for filing a grievance related to alleged sexual abuse only when there is determination the inmate filed the grievance in bad faith.

The auditor determined compliance with this standard through an interview with the Jail Administrator/PREA Coordinator, through reviews of the PREA policy, the Inmate Grievance Procedure policy, the inmate handbook grievance procedure section on pages 14 and 15, and a review of other inmate education materials. All information confirmed that all allegations of sexual abuse or sexual harassment when received by staff through the grievance process would immediately result in an administrative or criminal investigation as well as being processed through the grievance process. There were no allegations reported using the written grievance system.

115.53	Inmate access to outside confidential support services
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Inmate training materials</li> <li>4. Posters on access to support services</li> <li>5. MOU with Safe Shelter</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol>

2. 16 random inmates
3. Safe Shelter

**Findings by Provision:**

**115.53 (a) Access to outside victim advocates for emotional support**

**Compliance Determination:** The auditor reviewed the Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmates are provided with access to outside victim advocates for emotional support services related to sexual abuse through mailing addresses and telephone numbers to the organization listed below. In the event of sexual abuse, a trained behavioral health practitioner will be available to provide support services. The facility shall enable reasonable communication between inmates and these organizations and agencies in as confidential a manner as possible. Safe Shelter P.O. Box 1934 Jamestown, ND 58402-1934 (701) 251-2300. The auditor reviewed the inmate training information and noted posters throughout the facility that had the Safe Shelter contact information. The auditor also interviewed a random sample of inmates to verify that they are aware of the availability of emotional support services from Safe Shelter. The auditor interviewed the Jail Administrator/PREA Coordinator, and a random sample of inmates. Both staff and inmates stated that inmates have access phones within the facility to place a free, unmonitored call to Safe Shelter. The auditor performed a test call from the facility and reached the Safe Shelter and spoke with a staff member who verified the services would be provided to inmates at the jail.

**115.53 (b) Inform inmates extent that communications are monitored and when forwarded to authorities due to mandatory reporting laws**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states staff shall inform inmates, prior to giving them access to outside victim advocates, 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. The auditor did not need a PIN, there was no announcement that the call was recorded and all training documentation states that the call is free, not recorded, and confidential. The auditor also interviewed a random sample of inmates to verify that they are aware that the phone to Safe Shelter is not monitored or recorded, and their communication with Safe Shelter is confidential unless they sign a release.

**115.53 (c) MOU with community providers of emotional support services**

**Compliance Determination:** The auditor reviewed the MOU that the Stutsman County Correctional Center entered into with the Safe Shelter. The MOU outlines the services to provide an advocate, provide accompaniment and support through the forensic medical examination process and investigatory interviews, emotional support, crisis intervention, information and referrals. The auditor spoke with a staff member at Safe Shelter that verified they had an MOU with the facility and that they would provide services to any inmate who requested them.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, the inmate PREA information, the posters throughout the facility, and the MOU with the Safe Shelter, and through interviews with the Jail Administrator/PREA Coordinator, a staff with Safe Shelter, and a random sample of

	inmates.
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<b>115.54</b>	<b>Third-party reporting</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Stutsman County website</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.54 Establish method to receive third-party reports - reporting info on website</b></p> <p><b>Compliance Determination:</b> The auditor reviewed the Stutsman County website at <a href="https://www.stutsmancounty.gov/files/PREA-third-party-reporting.pdf">https://www.stutsmancounty.gov/files/PREA-third-party-reporting.pdf</a>. The website has very clear directions. There is both a Third-Party Reporting Tool button and a Third-Party Reporting FAQ page which has contact information to include an SCCC email address. The auditor tested both methods and received responses from the facility. The website states a third-party reporter is someone who reports sexual abuse and sexual harassment but is neither the victim nor the abuser. This person may have been told by the victim about the abuse or harassment or witnessed it first - hand. "Third party" includes other inmates, members of staff, family members, lawyers, contract employees, service providers or community or religious volunteers, among others. The site goes on to list that they may report verbal reports (made in-person or via telephone) o Contact jail officials (701) 252-7436, the Jail Administrator, the Deputy Administrator, the Lieutenant, the Administrative Officer, a Shift Sergeant, by written communication such as letter or email o Stutsman County Correctional Center 205 6th Street Southeast Suite #201 Jamestown, ND 5840, or via email at <a href="mailto:sccc@stutsmancounty.gov">sccc@stutsmancounty.gov</a>. They may also report via the "Third Party Reporting Tool" located on Stutsman County webpage under Correctional Center then Prison Rape Elimination Act (PREA). They can also contact the Stutsman County Sheriff's Office (701) 251-6200. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that they test the system periodically to ensure it is functioning correctly. Since the last audit he has added the lieutenant and the 24/7 officer to those that receive the electronic third-party reports from the system so that if one of them is on leave, there is always someone to respond quickly.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of the PREA policy, a review of the website, by testing some of the third-party reporting options, and through an interview with the Jail Administrator/PREA Coordinator.</p>

<b>115.61</b>	<b>Staff and agency reporting duties</b>
	<p data-bbox="256 188 959 224"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="256 264 544 300"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="256 340 612 376"><b>Documents Reviewed:</b></p> <ol data-bbox="256 383 1066 501" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. North Dakota mandatory reporting laws</li> </ol> <p data-bbox="256 539 612 575"><b>Interviews Conducted:</b></p> <ol data-bbox="256 582 799 701" style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. PREA Compliance Manager</li> <li>3. 10 random staff</li> </ol> <p data-bbox="256 739 612 775"><b>Findings by Provision:</b></p> <p data-bbox="256 781 916 817"><b>115.61 (a) All staff to report immediately</b></p> <p data-bbox="256 824 1474 1644"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states all SCCC staff are required to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the SCCC. All SCCC staff shall immediately report any retaliation against inmates or staff who reported such an incident; any staff neglect or violations of responsibilities that may have contributed to an incident or retaliation. Staff shall immediately notify the security shift supervisor of any verbal report of sexual abuse or sexual harassment against inmates or staff. SCCC staff may privately report sexual abuse or sexual harassment of inmates to their supervisor or any other facility supervisor. The auditor interviewed the Jail Administrator/PREA Coordinator, the PREA Compliance Manager, and random staff who consistently stated that staff are required to report immediately any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment. When an allegation of sexual abuse or sexual harassment is reported, the allegation is immediately turned over to the shift supervisor who notifies the PREA Compliance Manager unless staff wish to privately report to another supervisor due the nature of the allegation. The Jail Administrator/PREA Coordinator and/or the PREA Compliance Manager ensure that all allegations are assigned an administrative investigator, and if criminal, to the Stutsman County Sheriff's Office.</p> <p data-bbox="256 1682 1369 1762"><b>115.61 (b) Staff shall not reveal info to anyone other than designated supervisors or officials</b></p> <p data-bbox="256 1769 1449 2051"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states apart from reporting to designated supervisors or officials, staff may not reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment, investigation, and other security and management decisions. Staff interviews confirmed that the information must be kept confidential and not shared with other coworkers or inmates.</p>

**115.61 (c) Medical and mental health providers required to report and inform inmates of their duty to report and their limits to confidentiality at initiation of services**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states unless otherwise precluded by federal, state, or local law, medical and behavioral health practitioners shall report sexual abuse and inform inmates of the practitioner’s duty to report, and the limitations of confidentiality, at the initiation of services. The Stutsman County Correctional Center has a full time Registered Nurse (RN). They do not have any mental health staff. The auditor interviewed the nurse who stated that she informs inmates that she must report any sexual abuse to the Jail Administrator/PREA Coordinator.

**115.61 (d) Report to designated agency when under 18 or vulnerable adult**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states if the alleged victim is considered a vulnerable adult under a state or local vulnerable persons’ statute, administrative or medical staff shall report the allegation to the Department of Human Services under applicable mandatory reporting laws. The auditor verified during interviews with random staff that they understand they are mandatory reporters and must report to law enforcement and DHS. Even though Corrections Officers are not specifically listed in the North Dakota mandatory reporter laws, the facility requires by policy to report it. The nurse is aware of her responsibility as a mandatory reporter. The auditor interviewed the Jail Administrator/PREA Coordinator, the nurse and random staff who stated that sexual abuse of a vulnerable adult will be reported to law enforcement and DHS. Many staff stated that they would report it up to their supervisor and the administrators would make the mandatory reporter notification, but they were aware that they could report it directly if they felt that was needed. The auditor also reviewed the North Dakota Mandatory Reporting laws.

**115.61 (e) Report all allegations to facility’s investigators**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the PREA compliance manager shall assign an investigator for all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports. The auditor interviewed the PREA Compliance Manager who is a trained administrative investigator and confirmed that he initiates the investigative process by assigning an investigator right away. The facility has nine trained administrative investigators/

The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, a review of the North Dakota mandatory reporting laws and through interviews with the administrative staff, and an auditor selection of random staff.

<b>115.62</b>	<b>Agency protection duties</b>
	<b>Auditor Overall Determination:</b> Meets Standard

	<p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Sheriff</li> <li>2. Jail Administrator/PREA Coordinator</li> <li>3. 10 random staff</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.62 Immediate action to protect inmate when risk of imminent sexual abuse</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states when SCCC staff learns an inmate is subject to a substantial risk of imminent sexual abuse, staff shall take immediate action to protect the inmate. The auditor interviewed a random sample of staff who stated that they will immediately separate the inmate from the threat to keep them safe. In some instances, staff reported that they might keep the inmate with them or assign them to another staff to supervise while they report the situation to supervisors to determine action steps that will ensure inmate safety. The auditor interviewed the Sheriff who stated that he expects staff to immediately do what it takes to make sure they are safe - change housing, stay with them, and report it to their supervisor so the investigative process can start. The auditor interviewed the Jail Administrator/ PREA Coordinator who stated that they will get the inmate out of the area of concern, take their word for what it and do something. They are also expected to communicate it right away to supervisory staff so that they can begin their processes (investigation, permanent housing solutions, referral to advocacy). There have been no reported incidents in which staff needed to take immediate action to protect an inmate from imminent sexual abuse.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and through interviews with the Sheriff, the Jail Administrator/ PREA Coordinator, and staff randomly selected by the auditor.</p>
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<b>115.63</b>	<p><b>Reporting to other confinement facilities</b></p> <p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Notices made to other facilities</li> </ol>
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**Interviews Conducted:**

1. Sheriff
2. Jail Administrator/PREA Coordinator

**Findings by Provision:**

**115.63 (a) Notify head of agency when receiving an allegation while confined at their facility**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states upon receiving an allegation that an inmate was sexually abused while confined at another facility, the Jail Administrator shall notify the head of the facility or appropriate office of the agency where the alleged abuse occurred. The auditor interviewed the Sheriff, and the Jail Administrator/PREA Coordinator who confirmed that the Jail Administrator notifies the head of the facility or appropriate office of the agency where the alleged abuse occurred. If an allegation is received by them from another facility, an investigation will be initiated immediately. Both notifying other agencies and receiving notifications are documented. There have been eight allegations of sexual abuse that the facility received from inmates and reported to other facilities. There have been no allegations received from other facilities regarding inmates that were housed at SCCC.

**115.63 (b) Notification to head of agency within 72 hours**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states such notification shall be provided as soon as possible, but no later than 72 hours after receiving the allegation. Notification is provided through phone call, email or U.S. mail. The auditor interviewed the administrators and reviewed notifications that have been made to other facilities that confirm that the notification is made right away and definitely within 72-hours.

**115.63 (c) Document notification**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC shall document and file that it has provided such notification. The auditor reviewed the notices made to other facilities.

**115.63 (d) The agency head or office that receives notification shall investigate**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC Jail Administrator shall ensure the allegation is investigated in accordance with this policy. The auditor interviewed the Sheriff and the Jail Administrator/PREA Coordinator who stated that if there is an allegation that an inmate was sexually abused while confined at their facility, if the incident was not already investigated, it will be immediately referred for investigation. There have been no such incidents reported to the administrators by other facilities.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, a review of notices provided to other agencies, and through interviews with the Sheriff and the Jail Administrator/PREA Coordinator.

<b>115.64</b>	<b>Staff first responder duties</b>
	<p data-bbox="256 188 959 221"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="256 266 544 300"><b>Auditor Discussion</b></p> <hr/> <p data-bbox="256 344 612 378"><b>Documents Reviewed:</b></p> <ol data-bbox="256 383 1066 584" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Coordinated Response</li> <li>4. PREA Checklist</li> <li>5. 4 Investigative files</li> </ol> <p data-bbox="256 624 619 658"><b>Interviews Conducted:</b></p> <ol data-bbox="256 663 884 741" style="list-style-type: none"> <li>1. 10 random staff who are First Responders</li> <li>2. Food Service staff</li> </ol> <p data-bbox="256 781 612 815"><b>Findings by Provision:</b></p> <p data-bbox="256 819 788 853"><b>115.64 (a) First responder duties</b></p> <p data-bbox="256 857 1481 1944"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states upon learning of an allegation an inmate was sexually abused, the first staff member to respond shall: Separate the alleged victim from the alleged abuser; notify the shift supervisor of alleged incident; Preserve and protect any crime scene until appropriate steps can be taken to collect evidence. If the alleged abuse occurred within 96 hours from the time the incident was reported, request the alleged victim not take any action that could destroy physical evidence including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, eating, or drinking. If the alleged abuse occurred more than 96 hours from the time the incident was reported, ensure 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; Inform the victim of access to external victim advocate services (Safe Shelter 251-2300); and Complete Incident Report before end of shift and deliver to shift supervisor. The auditor interviewed 10 randomly selected staff who all were able to identify the first responder duties as separate the alleged victim and abuser, preserve and protect any crime scene until appropriate steps can be taken to collect any evidence; and request that the alleged victim and ensure the alleged perpetrator, not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, drinking, or eating. Many of the staff also said they will determine if the situation requires immediate involvement of law enforcement or medical personnel and also notify the supervisor or the on-call supervisor. The auditor also reviewed the PREA Checklist, which is documentation of these steps as described above. The auditor reviewed investigative files that indicated first response of separating the individuals was completed, but the incidents did not indicate the need for the collection of physical evidence.</p> <p data-bbox="256 1984 1394 2056"><b>115.64 (b) First responder not security staff request victim not destroy evidence and notify security staff</b></p>

	<p><b>Compliance Determination:</b> The auditor interviewed a contracted food service staff, who are the only staff in the facility who are not security staff. She stated that they are trained to immediately take the inmate to the sergeant on duty, ensuring that the victim and the perpetrator are separated and to make sure to secure the area where the incident occurred, and write an incident report.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, a review of investigative files and the response taken, and through interviews with a random selection of security staff and of a non-security contractor.</p>
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<b>115.65</b>	<b>Coordinated response</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. PREA Checklist</li> <li>4. Coordinated Response Plan</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.65 (a) Written institutional plan to coordinate actions</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC shall use this procedure as a plan to coordinate actions taken in response to an incident of sexual abuse, among staff first responders, medical and behavioral health practitioners, investigators, and facility leadership. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that they have a written plan, and it is taught in their PREA training and posted in staffing areas. They would follow the plan which is to have the first responder separate and protect the evidence, ensure the victim is escorted to the nurse's office and offered any immediate medical assessment arranging for an advocate from the Safe Shelter and notifying the shift supervisor. The Shift Supervisor initiates the PREA Checklist, notifies the Jail Administrator/PREA Coordinator, begins retaliation monitoring as well as ensuring the first responder's duties have been carried out. Medical staff assesses the victim's acute medical needs and offers victim services including a SANE exam to take place at Jamestown Regional Medical Center. Either the Jail Administrator/PREA Coordinator or the Lieutenant/PREA Compliance manager will assign an investigator. The auditor interviewed both administrators and a random selection of staff who confirmed that the facility has a good, coordinated response effort. The Jail Administrator/PREA Coordinator confirmed that all supervisory on-call</p>

	<p>staff are aware of the need to make a victim services advocate from Safe Shelter available and coordinating with law enforcement to ensure that a forensic examination is conducted by a SANE at the hospital. All interviews corresponded to the outline in the PREA policy, the PREA Checklist, and the Coordinated Response Plan.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and the PREA Checklist, the Coordinated Response Plan, and through interviews with the Jail Administrator/PREA Coordinator.</p>
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<b>115.66</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Sheriff</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.66 (a) No collective bargaining or other agreements that limit ability to remove staff abuser</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states standard § 115.66 does not apply to Stutsman County since there are no collective bargaining agreements. North Dakota is a right to work state. The auditor interviewed the Sheriff who stated that there is nothing that prevents them from removing staff from contact pending an investigation.</p> <p><b>115.66 (b) Agreements cannot contradict 115.72 Standard of evidence and 115.76 Disciplinary sanctions for staff. Agreements are not restricted regarding expungement or retention in the staff personnel file following a determination of not substantiated</b></p> <p><b>Compliance Determination:</b> The auditor interviewed the Sheriff who stated their staff are not represented by a union.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and in an interview with the Sheriff.</p>

<b>115.67</b>	<b>Agency protection against retaliation</b>
	<b>Auditor Overall Determination:</b> Meets Standard

## **Auditor Discussion**

### **Documents Reviewed:**

1. Pre-Audit Questionnaire
2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003
3. Monitoring documentation

### **Interviews Conducted:**

1. Sheriff
2. Jail Administrator/PREA Coordinator
3. Lieutenant/PREA Compliance Manager - staff charged with monitoring for retaliation

### **Findings by Provision:**

#### **115.67 (a) Policy to protect all inmates and staff from retaliation**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the administrator will ensure all inmates and staff who report sexual abuse or sexual harassment or cooperate with sexual abuse or sexual harassment investigations are protected from retaliation by other inmates or staff. The auditor interviewed the Sheriff, the Jail Administrator/PREA Coordinator and the Lieutenant/PREA Compliance Manager who is charged with monitoring for retaliation to verify expectations and procedures on prevention efforts against retaliation and monitoring for retaliation. They all stressed the importance of trying to prevent it by immediate separation.

#### **115.67 (b) Employ multiple retaliation protection measures**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the administrator will ensure multiple protection measures are available, including housing changes or transfers (BOP and USM inmates) for inmate victims or abusers, removal of alleged staff or inmate abusers from contact with victims, and emotional support services for inmates or staff that fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

#### **115.67 (c) Monitor for retaliation for at least 90 days; Act promptly**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states for at least 90 days following a report of sexual abuse or sexual harassment, the PREA compliance manager will monitor the conduct and treatment of inmates or staff who reported the sexual abuse or sexual harassment or inmates who were reported to have suffered sexual abuse or sexual harassment to determine if there are changes that may suggest possible retaliation by inmates or staff, and shall act promptly to remedy any such retaliation. Items the facility should monitor include inmate misconduct reports, housing, programs, or negative performance reviews or reassignments of staff. The PREA compliance manager will continue monitoring beyond 90 days if the initial monitoring indicates a continuing need.

#### **115.67 (d) Monitoring will include periodic status checks of inmates**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states in the case of inmates, monitoring shall also include periodic status checks.

**115.67 (e) Protection of any other individual who cooperates with an investigation**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states if any other individual who cooperates with an investigation expresses a fear of retaliation, the PREA compliance manager will take appropriate measures to protect that individual against retaliation. The Lieutenant/PREA Compliance Manager who is charged with monitoring. Confirmed in his interview that he monitors anyone who may be involved in the investigation and would ensure that they are protected if retaliation is suspected.

**115.67 (f) Obligation to monitor terminates if the allegation is unfounded**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC's obligation to monitor terminates if the SCCC determines that the allegation is unfounded. The SCCC's obligation to monitor terminates if inmate or staff are released from SCCC custody or employment with SCCC is terminated.

The SCCC PREA policy covers all elements of this standard. The auditor interviewed the Lieutenant/PREA Compliance Manager who is designated to monitor for retaliation. He stated that the investigator immediately begins the monitoring process as they are beginning to interview the victim immediately after the allegation is received. The lieutenant picks up the monitoring efforts after that first interview. He will meet with the inmate at the beginning, to the end of the investigation when he provides the copy of the outcome, through the 90-day period or for as long as needed. He was well versed in how to conduct this duty and to document it. He explains to them what retaliation is, what the monitoring process is, and explains that if they do not want to meet with him in person, they can communicate via the messaging system on the kiosk. In addition to checking in with the inmate, he also works to prevent retaliation by moving inmates within the housing units, assigning staff to a different post where there would be no inmate contact, and by offering support services from Safe Shelter.

The auditor determined compliance with this standard through a review of the PREA policy, review of monitoring reports, and through an interview with the Sheriff, the Jail Administrator/PREA Coordinator and the Lieutenant/PREA Compliance Manager who is charged with monitoring for retaliation.

<b>115.68</b>	<b>Post-allegation protective custody</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.68 Use of segregated housing for protection shall be subject to requirements of 115.43</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states any use of segregated housing to protect an inmate who is alleged to have suffered sexual abuse shall be subject to the requirements of standard § 115.43 Protective Custody. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that segregated housing would only be used at the request of the inmate or for an immediate need for protection until alternative housing could be provided. There are housing options available to provide adequate separation for the protection of an inmate without using segregated housing. There were no instances of inmates who allege to have suffered sexual abuse that were held in involuntary segregated housing. The standard practice would be to place the suspected abuser in segregated housing.</p>
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<b>115.71</b>	<b>Criminal and administrative agency investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Investigative Reports</li> <li>4. Administrative Investigator training certificates</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. Lieutenant/PREA Compliance Manager - Administrative Investigator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.71 (a) An agency's own investigation will be prompt, thorough, and objective</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states when the SCCC conducts its own investigations into allegations of sexual abuse and sexual harassment, it shall initiate a thorough and objective investigation for all allegations within 24 hours or as circumstances dictate, including third-party and anonymous reports. The auditor interviewed the Lieutenant/PREA Compliance Manager who is a trained administrative investigator for</p>

the facility. He stated that he is responsible for assigning the investigator. He immediately assigns an investigator from their pool of administrative investigations and the response is within the first 24 hours of learning of the allegation.

**115.71 (b) Sexual abuse investigations will be completed by investigators who have received special training in sexual abuse investigations pursuant to 115.34**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states where sexual abuse is alleged, the SCCC shall utilize investigators who have received Department of Justice approved sexual abuse investigation training. The auditor reviewed their specialized training certificates which showed that the investigators have completed specialized investigator training from both the North Dakota Department of Corrections and Rehabilitation and the National Institute of Corrections.

**115.71 (c) Investigators shall gather and preserve direct and circumstantial evidence**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states investigators shall gather and preserve direct and circumstantial evidence, including available physical and DNA evidence and 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. The auditor interviewed an administrative investigator who stated that during an investigation, some examples of evidence he might encounter are physical DNA, fingerprints, video, phone calls, text messages, and visitation emails.

**115.71 (d) When evidence supports criminal prosecution, agency will conduct compelled interviews only after consulting prosecutor**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states when the quality of evidence appears to support criminal prosecution, the SCCC investigator will stop the administrative investigation while the criminal investigation is being conducted, unless otherwise directed by the administrator. Information obtained during the investigation will not be shared between the criminal and administrative investigators. The auditor interviewed an administrative investigator who stated that he would complete the administrative investigation but as soon as it was thought to be a criminal act, they would have the Stutsman County Sheriff's Office do those interviews.

**115.71 (e) Credibility shall be assessed on individual basis**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the person's status as inmate or staff. The SCCC may not require an inmate who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation. The auditor interviewed an investigator who stated he views everything based on what the evidence shows -- If things appear as they were stated. He begins the interview

believing what was said until he investigates and the evidence shows differently. The auditor reviewed investigative files and found good credibility assessments within the investigative reports.

**115.71 (f) Administrative investigations shall include items listed**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states administrative investigations must include an effort to determine whether staff actions or failures to act contributed to the abuse; and must be documented in written reports that include a description of the physical and testimonial evidence, that reasoning behind credibility assessments, and investigative facts and findings. The auditor interviewed the administrative investigator who stated that he includes in his investigative report who he interviews, what evidence was used, the outcome, and any staff acts or failures to act would be documented in the report and discussed during the review process.

**115.71 (g) Criminal investigations shall be documented**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states criminal investigations must be documented in a written report that contains a thorough description of physical, testimonial, and documentary evidence and attaches copies of all documentary evidence where feasible. There were no allegations made at this facility that were criminally investigated, but the Jail Administrator stated they would request the criminal investigation report from the law enforcement agency that investigates.

**115.71 (h) Substantiated allegations of sexual abuse shall be referred for prosecution**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states substantiated allegations of conduct that appears to be criminal shall be referred for prosecution. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that all criminal allegations are referred for prosecution. They have had no cases at this facility that were referred for prosecution over the previous 12 months.

**115.71 (i) Retain all written reports for as long as abuser at agency plus five years**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC shall retain all administrative and criminal written reports referenced for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.

**115.71 (j) Departure of abuser or victim not basis for terminating investigation**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states investigations are completed regardless of employee status or inmate custody status. The auditor interviewed the administrative investigator who stated that if the alleged abuser or the alleged victim leaves either employment or discharges or is transferred from the facility, a full investigation still moves forward.

	<p><b>115.71 (k) State or DOJ shall follow above requirements</b>  <b>Compliance Determination:</b> The auditor interviewed the Jail Administrator who stated that they would require all investigators to follow the requirements of this standard.</p> <p><b>115.71 (l) Facility shall cooperate with outside investigators and remain informed of progress of investigation</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states when the Stutsman County Sheriff's Office investigates sexual abuse, SCCC investigators will cooperate with outside investigators and will remain informed about the progress of the investigation. The Jail Administrator/PREA Coordinator, and the Lieutenant/PREA Compliance Manager stated that that they would collaborate with the Stutsman County Sheriff's Office, the Jamestown Police Department, or the Bureau of Criminal Investigation and assist them with whatever they may need, provide any support they need to include setting up interviews, providing camera footage, etc., and follow up with them during the course of their investigation as to its progress. The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, a review of investigative reports, a review of specialized investigator training, and through interviews with the Jail Administrator/PREA Coordinator and the / Lieutenant/PREA Compliance Manager who is an Administrative Investigator.</p>
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<b>115.72</b>	<b>Evidentiary standard for administrative investigations</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Investigative reports</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Administrative Investigator</li> </ol> <p><b>Findings by Provision:</b>  <b>115.72 No standard higher than a preponderance of the evidence</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC may not impose a standard higher than a preponderance (More than 50 percent) of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated. The auditor interviewed the investigator. The auditor reviewed investigations and was satisfied that this facility uses no standard higher than a preponderance of the evidence. The Administrative Investigator stated that he would use a preponderance of evidence which means that if you show in your investigative report that you 51% believe that</p>

	<p>the evidence supported that the incident occurred.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy and administrative investigation reports, and through an interview with an administrative investigator.</p>
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<b>115.73</b>	<b>Reporting to inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. PREA Checklists from investigations</li> <li>4. Notice of PREA Investigation Status</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. Lieutenant/PREA Compliance Manager - Administrative Investigator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.73 (a) Inform inmate of the outcome of investigation</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states following the investigation, the PREA investigator will inform the inmate or inmates verbally whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded. The investigator will deliver in person a statement of findings which will require the signature of the inmate or inmates. If the inmate refuses to sign the findings form, the investigator will document the refusal and have a staff member witness and sign the refusal. The auditor reviewed investigations that show within the report the PREA Checklist which documents the dated the notice was given and a copy of the Notice of PREA Investigation Status that is signed by the inmate unless the inmate has been released from the facility.</p> <p><b>115.73 (b) Request outcome from external investigative agency</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states if the Stutsman County Sheriff's Officer conducts an investigation, the SCCC shall request the relevant information in order to inform the inmate of the outcome of the investigation. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that if they are still in agency custody, they will provide them with criminal findings from the Stutsman County Sheriff's Office asl.</p> <p><b>115.73 (c) Inform inmate if alleged staff abuser is no longer posted in unit, no longer employed, or has been indicted or convicted</b></p>

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states if there has been substantiated or unsubstantiated complaint of sexual abuse committed by a staff member against an inmate, the SCCC must subsequently inform the inmate whenever the staff member is no longer posted within the inmate’s unit; the staff member is no longer employed at the facility; the SCCC learns that the staff member has been charged or convicted on an offense related to sexual abuse within the facility. There were no investigations to review in which this standard would apply to verify through documentation. The auditor reviewed the policy and interviewed the Jail Administrator and the Lieutenant who stated that they would make the proper notifications at the conclusion of the investigation if the inmate has not been released.

**115.73 (d) Inform inmate if alleged inmate abuser has been indicted or convicted**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states following an inmate’s allegation that he or she has been sexually abused by another inmate, the SCCC must subsequently inform the alleged victim whenever the SCCC learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility. There were no investigations to review in which this standard would apply to verify through documentation. The auditor reviewed the policy and interviewed the Jail Administrator and the Lieutenant who stated that they would make the proper notifications at the conclusion of the investigation if the inmate has not been released.

**115.73 (e) Document all attempts to notify**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states all notifications or attempted notifications of the final determination of the allegation are documented and placed in inmate file. The auditor reviewed investigation files which contained documentation of the notices given to inmates both in the PREA Checklist and the Notice of PREA Investigation Status which is signed by the inmate or states the date the inmate was released.

**115.73 (f) Obligation to report if inmate released from agency’s custody**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC’s obligation to report under this standard terminates if the inmate is released from the SCCC’s custody.

<b>115.76</b>	<b>Disciplinary sanctions for staff</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> </ol>

**Interviews Conducted:**

1. Jail Administrator/PREA Coordinator

**Findings by Provision:**

**115.76 (a) Staff subject to disciplinary action up to and including termination for violating policies**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states staff are subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies. [115.76 (a)] 1.) Employees shall cooperate fully by providing all pertinent information during the investigation. Failure of an employee to answer any inquiry fully will be grounds for disciplinary action. Employees may not make any attempt to contact the inmate victim from the time the allegation is first made, until the completion of the investigation.

**115.76.(b) Termination is the presumptive discipline for staff who have engaged in sexual abuse**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states termination shall be the presumptive disciplinary sanction for staff who have engaged in sexual abuse with an inmate.

**115.76 (c) Staff Discipline commensurate with the nature and circumstance, etc.**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states disciplinary sanctions for violations of SCCC policies relating to sexual abuse or sexual harassment (other than actually engaging in sexual abuse) must 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 the other staff with similar histories.

**115.76 (d) All terminations unless activity not criminal reported to law enforcement agencies and relevant licensing bodies**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states all terminations for violations of SCCC sexual abuse or sexual harassment policies, 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.

The auditor interviewed the Jail Administrator/PREA Coordinator who stated that allegations against staff are investigated. There were no allegations against staff and therefore no investigative files to review. The Jail Administrator stated that staff would be assigned a non-contact post are put on administrative leave during the investigation and that termination would occur if the case is substantiated or the staff has not already resigned. If the staff member has resigned and the actions are criminal, the case is turned over to the Stutsman County Sheriff's Office for investigation.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and through an interview with the Jail Administrator/PREA

	Coordinator.
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<b>115.77</b>	<b>Corrective action for contractors and volunteers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.77 (a) Contractor or volunteer who engages in sexual abuse prohibited from contact and reported to law enforcement agency unless not criminal and to relevant licensing bodies</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with inmates and shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to relevant licensing bodies. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that there is nothing that would keep him from removing the volunteer or contractor from being in the facility and he would call the Stutsman County Sheriff's Office if it were criminal.</p> <p><b>115.77 (b) Contractor or volunteer policy violations - Take appropriate remedial measures and consider prohibiting further contact</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the administrator shall take appropriate remedial measures and shall consider whether to prohibit further contact with inmates, in the case of any other violation of SCCC sexual abuse or sexual harassment policies by a contractor or volunteer. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that currently the only contractors are the food service staff at the facility. If it were just a policy violation of a less serious nature, they would give verbal redirect, a written warning or give more training. More serious incidents he would require they not be allowed in the building, not have contact with inmates, and if criminal, contact law enforcement to seek prosecution. There have been no allegations against contractors or volunteers.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and through an interview with the Jail Administrator/PREA Coordinator.</p>

<b>115.78</b>	<b>Disciplinary sanctions for inmates</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Inmate Handbook</li> <li>4. Investigative Files</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.78 (a) Inmates disciplined</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmates shall be subject to disciplinary sanctions pursuant to the SCCC disciplinary process following an administrative or criminal finding or guilt that the inmate engaged in inmate-on-inmate sexual abuse. The auditor reviewed the Inmate Handbook which includes the Inmate Rules and Possible Disciplinary Measures. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that they would follow their disciplinary process, and the discipline depends on the seriousness of the allegation.</p> <p><b>115.78 (b) Sanctions commensurate with the nature and circumstance</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states sanctions must 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. The auditor interviewed the Jail Administrator/PREA Coordinator who stated some examples of disciplinary sanctions would be on the lower end, they would give verbal redirection, a written warning or a minor write-up. The discipline would be progressive up to the more serious or upper end of discipline to include if holding for the US Marshalls, request they move the aggressor, or report it to law enforcement where they may have new criminal charges and moved to a different facility.</p> <p><b>115.78 (c) Disciplinary process considers inmate’s mental disabilities or mental illness</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the disciplinary process shall consider whether an inmate’s mental disabilities or mental illness contributed to his or her behavior when determining what type of sanctions, if any, should be imposed. The Disciplinary Committee Chair will request facility nursing staff to complete a Mental Disability/ Mental Illness Review before Disciplinary Committee. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that this would always be considered.</p> <p><b>115.78. (d) if sex offender therapy offered, facility considers whether to</b></p>

**require offender to participate as a condition of access to programming or other benefits**

**Compliance Determination:** The auditor interviewed the Jail Administrator who stated that they do not offer any type of sex offender therapy.

**115.78 (e) Discipline for sexual contact with staff only upon finding that staff member did not consent**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC may discipline an inmate for sexual contact with staff only upon a finding the staff member did not consent to the contact.

**115.78 (f) Good faith report shall not constitute false reporting**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states 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 may not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.

**115.78 (g) May prohibit all sexual activity between inmates but may not deem as sexual abuse if determined not coerced**

**Compliance Determination:** The auditor reviewed the Inmate Handbook which states that sexual abuse of an inmate or detainee by another inmate: includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats or violence, or is unable to consent or refuse which may include: persuasion, inducement, enticement or forcible compulsion, subjecting to sexual contact another person who is incapable of giving consent by reason of custodial status; subjecting another person to sexual contact who is incapable of consenting by reason of being physically helpless, physically restrained or mentally incapacitated; prostituting or otherwise sexually exploiting another person. The auditor interviewed the Jail Administrator stated they would investigate to ensure that it was not coerced. The auditor reviewed investigative files that verified this procedure.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, review of the Inmate Handbook regarding rules and discipline, and a review of investigative files, and through an interview with the Jail Administrator/PREA Coordinator.

115.81	Medical and mental health screenings; history of sexual abuse
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<b>Documents Reviewed:</b> 1. Pre-Audit Questionnaire

2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003

**Interviews Conducted:**

1. Jail Administrator/PREA Coordinator
2. Staff Responsible for screening
3. Inmates who reported previous sexual abuse
4. Nurse

Findings by Provision:

115.81 (a) - (b) Screening prison inmates

Compliance Determination: The SCCC is a jail not a prison therefore these provisions are not applicable

**115.81 (c) If screening indicates jail inmate experienced sexual victimization, offer follow-up with medical or mental health practitioner within 14 days of intake screening**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states if the screening pursuant to § 115.41 indicates an inmate has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community, or has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, staff shall ensure that the inmate is offered a follow-up meeting with a medical or mental health practitioner within 14 days of the intake screening. The booking officer will offer access to facility medical staff for follow-up appointment (Intake Risk Assessment/ Screening question #20) if inmate answers "YES" to screening questions # 10, 11, 16 or 17. They will document "YES" if inmate accepts the appointment and forward a copy of the intake risk Screening Form to the facility nurse and place a copy in inmate file. They will document "NO" if inmate refuses the appointment and maintain intake risk Screening Form in inmate file. The auditor interviewed the staff responsible for the screening, inmates who reported previous sexual abuse on their screening and the nurse, who confirmed this procedure.

**115.81 (d) Information related to sexual victimization or abusiveness strictly limited to medical and mental health practitioners and other staff to inform treatment plans and security and management decisions.**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states any information related to sexual victimization or abusiveness that occurred in an institutional setting shall be strictly limited to medical and mental health practitioners and other staff, as necessary, to inform treatment plans and security and management decisions, including housing, bed, work, education, and program assignments, or as otherwise required by federal, state, or local law.

**115.81 (e) Medical or mental health practitioners obtain informed consent before reporting information that did not occur in an institutional setting unless inmate under the age of 18**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states medical and mental health practitioners shall

	<p>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.</p> <p>The auditor interviewed the staff who administers the screening and the nurse who stated that through the PREA screening completed by intake staff any inmate that has experienced prior sexual victimization or has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community, will be offered a follow-up meeting with the nurse within 14 days of the intake screening. There is a specific checkbox on their screening form to remind the screener and to document that if they indicated previous sexual abuse, they should make the offer to see the nurse. The Registered Nurse (RN) also conducts her own intake screening and previous sexual abuse history is a subject she discusses during her screening process with all intake screenings. The RN confirmed policy expectations and staff were aware of their responsibilities including limiting information strictly to medical and other staff, as necessary. The RN is aware of mandatory reporting laws for inmates. Inmates are notified regarding the limits of confidentiality if they disclose sexual abuse to medical providers. The nurse uses an informed consent form if medical reports information about prior sexual victimization that did not occur in an institutional setting. The auditor interviewed two inmates who stated that they were offered a follow-up meeting with the nurse, but they declined.</p>
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<b>115.82</b>	<b>Access to emergency medical and mental health services</b>
	<p><b>Auditor Overall Determination:</b> Meets Standard</p> <p><b>Auditor Discussion</b></p> <p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> <li>2. Nurse</li> <li>3. 10 Random Staff First Responders</li> </ol> <p><b>Findings by Provision:</b>  <b>115.82 (a) Access to emergency medical treatment and crisis intervention and 115.82 (b) If no medical or mental health staff on duty, security staff immediately notify medical and mental health practitioners</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmate victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment and crisis intervention services, the nature and scope determined by medical and mental health practitioners according to their professional judgement.</p>

**115.82 (b) If medical or mental health practitioners not on duty , security staff first responders take preliminary steps to protect victim and notify appropriate medial and mental health practitioners.**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states if qualified medical or mental health practitioners are not on duty at the time a report of recent abuse is made, security staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate medical and mental health practitioners.

**115.82 (c) Offered timely information about and access to emergency contraception and sexually transmitted infections prophylaxis**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states 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.

**115.82 (d) Treatment services at no financial cost**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states mental health services shall be 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.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and through interviews with the Jail Administrator/PREA Coordinator, the nurse, and first responding staff.

A review of facility policy documented PREA requirements are met for access to emergency medical and mental health services. Staff stated that in the event services after hours are not available by the facility medical staff, inmates would be taken to the Jamestown Regional Medical Center. The Jail Administrator stated that treatment services are provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with the investigation. The nurse verified that inmates would be offered timely information about and access to emergency contraception and sexually transmitted infections prophylaxis. The procedures were verified both through review of policy and through interviews with staff and the nurse.

<b>115.83</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>

**Documents Reviewed:**

1. Pre-Audit Questionnaire
2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003

**Interviews Conducted:**

1. Jail Administrator/PREA Coordinator
2. Nurse

**Findings by Provision:**

**115.83 (a) Offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the facility shall 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.

**115.83 (b) Evaluation and treatment will include follow-up services, treatment plans, and referrals for continued care following their transfer or release**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the evaluation and treatment of such victims must 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.

**115.85 (c) Provide medical and mental health services consistent with community level of care**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the facility shall provide such victims with medical and mental health services consistent with the community level of care.

**115.83 (d) Provide pregnancy tests**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmates of sexually abuse vaginal penetration while incarcerated shall be offered pregnancy tests.

**115.83 (e) Provide timely and comprehensive information and timely access to all lawful pregnancy-related medical services**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states if pregnancy results from the conduct described in (d) of this section, such victims shall receive timely and comprehensive information about the timely access to all lawful pregnancy-related medical services.

**115.83 (f) Offer tests for sexually transmitted infections**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.

	<p><b>115.83 (g) Provided treatment services without financial cost</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states mental health services shall be 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>The auditor interviewed the Jail Administrator and the nurse who verified that medical and mental health evaluations and treatment are offered at no cost to sexual abuse victims. The nurse confirmed that they will test for sexually transmitted infections and pregnancy tests are offered. If mental health services are required for crisis management they are transported to Jamestown Regional Medical Center, or a referral is made to the North Central Human Service Center operated by the North Dakota Department of Human Services or provided through integrated telehealth for US Marshals inmates. The nurse stated that she feels that medical and mental health services offered are consistent with a community level of care and that the nature and scope of the serves are determined according to her professional judgment.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and through interviews with the Jail Administrator/PREA Coordinator and the nurse.</p>
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<b>115.86</b>	<b>Sexual abuse incident reviews</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Sexual Abuse Incident Review Report forms</li> <li>4. Investigative reports</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.86 (a) Conduct sexual abuse incident review</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the facility shall 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.</p> <p><b>115.86 (b) Review within 30 days of conclusion of investigation</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape</p>

Elimination Act of 2003 which states the review shall ordinarily occur within 30 days of the conclusion of the investigation.

**115.86 (c) Review team includes upper-level management with input from line staff, investigator, and medical or mental health practitioners**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the review team may include the PREA coordinator, the PREA compliance manager, the deputy administrator, investigators, and medical and mental health staff. The auditor interviewed the Jail Administrator/PREA Coordinator who stated that the incident review includes himself, the Lieutenant/PREA Compliance Manager, the nurse, the investigator, and the Sheriff, if available.

**115.86 (d) Review team will consider items outlined in provision**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the review team shall consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.

Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse. Assess the adequacy of staffing levels in that area during different shifts. Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff. Prepare a report of its findings, including determinations and any recommendations for improvement and submit such report to the PREA compliance manager and jail administration.

**115.86 (e) Implement recommendations for improvement or document reasons for not doing so**

**Compliance Determination:** The auditor Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the administrator shall implement the recommendations for improvement, or document reasons for not doing so.

The auditor interviewed the Jail Administrator/PREA Coordinator and the Lieutenant/PREA Compliance Manager, who stated that they conduct incident reviews of sexual abuse incidents within 30 days of the conclusion of the investigation. The auditor reviewed the sexual abuse incident reviews from the investigative files. The Stutsman County Correctional Center uses the policy to guide what needs to be reviewed as well as the Sexual Abuse Incident Review Report form. The form has boxes to trigger discussion on the each of the discussion components required by the standard (change policy or practice, motivation, physical barriers, staffing levels, monitoring technology, recommendations for improvement), and then they fill in the required explanatory section with discussion so that it is not a “check the box” form.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, a review of the completed incident review forms, and interviews with the Jail Administrator/PREA Coordinator.

<b>115.87</b>	<b>Data collection</b>
	<p data-bbox="256 188 959 224"><b>Auditor Overall Determination:</b> Meets Standard</p> <hr/> <p data-bbox="256 264 544 300"><b>Auditor Discussion</b></p> <p data-bbox="256 340 576 376">Documents Reviewed:</p> <ol data-bbox="256 383 1075 584" style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003.</li> <li>3. Investigative files</li> <li>4. 2024 Annual Report</li> <li>5. Aggregate data for 2022, 2023, 2024</li> </ol> <p data-bbox="256 622 619 658"><b>Interviews Conducted:</b></p> <ol data-bbox="256 665 804 701" style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p data-bbox="256 734 612 770"><b>Findings by Provision:</b></p> <p data-bbox="256 777 1240 813"><b>115.87 (a) Collect accurate, uniform data for every allegation</b></p> <p data-bbox="256 819 1458 976"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states that the SCCC shall collect accurate, uniform data for every allegation of sexual abuse using a standardized instrument and set of definitions.</p> <p data-bbox="256 1014 1074 1050"><b>115.87 (b) Aggregate incident-based data annually</b></p> <p data-bbox="256 1057 1458 1176"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC PREA Coordinator shall aggregate the incident based sexual abuse data at least annually. .</p> <p data-bbox="256 1214 1433 1288"><b>115.87 (c) Data necessary to answer the questions from Survey of Sexual Violence</b></p> <p data-bbox="256 1294 1447 1456"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC utilizes the Department of Justice, Bureau of Justice Statistics form SSV-3, Survey of Sexual Violence for Local Jail Jurisdictions.</p> <p data-bbox="256 1494 1415 1568"><b>115.87 (d) Maintain, review, and collect data from reports, investigation files, and sexual abuse incident reviews</b></p> <p data-bbox="256 1574 1481 1906"><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC shall maintain, review, and collect data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews. The PREA Coordinator shall maintain all completed PREA investigations. The PREA Coordinator will compile data and statistics on the number of sexual abuse and sexual harassment incidents that occurred the prior calendar year. These statistics will be forwarded to the Department of Justice annually, upon request.</p> <p data-bbox="256 1944 1394 2018"><b>115.87 (e) Obtain incident-based and aggregated data from contracted private facilities</b></p> <p data-bbox="256 2024 1431 2060"><b>Compliance Determination:</b> The auditor interviewed the Jail Administrator/PREA</p>

	<p>Coordinator who stated that they do not contract for the confinement of inmates in other facilities.</p> <p><b>115.87 (f) Provide data to DOJ no later than June 30 upon request</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states upon request, the SCCC shall provide the data from the previous calendar year to the Department of Justice no later than June 30.</p> <p>Aggregate annual data was provided to the auditor. The auditor interviewed the Jail Administrator/PREA Coordinator and reviewed the aggregate data. The facility collects uniform data for all allegations of sexual abuse based on a review of investigative reports. The aggregated data is included in their annual reports. The auditor reviewed the 2024 Annual Report and the aggregate data for Stutsman County Correctional Center to include 2022 to 2024.</p>
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<b>115.88</b>	<b>Data review for corrective action</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. 2024 Annual report</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.88 (a) Prepare annual report; Review data to assess and improve</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the PREA Coordinator shall review data collected and aggregated pursuant to PREA Standard 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training to include identifying problem areas; taking corrective action on an ongoing basis, and preparing an annual report of its findings and corrective actions.</p> <p><b>115.88 (b) Annual report includes comparison of current year’s data and corrective actions with prior years and provides progress</b>  <b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the report must include a comparison of the current year’s data and corrective actions with those from prior years and shall provide an assessment of the SCCC progress in addressing sexual abuse.</p> <p><b>115.88 (c) Annual report approved by agency head and on website</b></p>

	<p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC’s report shall be approved by the Sheriff and made readily available to the public through its website or other means.</p> <p><b>115.88 (d) Redact information that may be a threat to safety and security but must indicate nature of material redacted</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC may redact specific material from the reports when publication presents a clear and specific threat to the safety and security of a facility, but must indicate the nature of the material redacted.</p> <p>The auditor interviewed the Jail Administrator/PREA Coordinator and reviewed the 2024 PREA Annual Report, which is posted on the website at <a href="https://www.stutsman-county.gov/departments/correctional-center/prea/">https://www.stutsman-county.gov/departments/correctional-center/prea/</a>. The report is initialed by both the Jail Administrator and the Sheriff.</p> <p>The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy, and the aggregate data within the annual report posted on the website, and through interviews with the Jail Administrator/PREA Coordinator.</p>
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<b>115.89</b>	<b>Data storage, publication, and destruction</b>
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. Policy 6-10 (PREA) Prison Rape Elimination Act of 2003</li> <li>3. Annual report with aggregate data</li> </ol> <p><b>Interviews Conducted:</b></p> <ol style="list-style-type: none"> <li>1. Jail Administrator/PREA Coordinator</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.89 (a) Data security retained</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC ensures that data collected pursuant to § 115.87 are securely retained.</p> <p><b>115.89 (b) Aggregate data available to public annually</b></p> <p><b>Compliance Determination:</b> The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC shall make all aggregated sexual abuse data, readily available to the public at least annually through its website.</p> <p><b>115.89 (c) Remove personal identifiers</b></p> <p><b>Compliance Determination:</b> The auditor reviewed the IDOC Policy PREA-CBC-10</p>

PREA Data Collection and Review which states before making aggregated sexual abuse data publicly available, the SCCC shall remove all personal identifiers.

**115.89 (d) Maintain data for at least 10 years after the date of the initial collection**

**Compliance Determination:** The auditor reviewed Policy 6-10 (PREA) Prison Rape Elimination Act of 2003 which states the SCCC shall 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.

The auditor interviewed the Jail Administrator/PREA Coordinator and reviewed the aggregate data posted on the website. The facility does not contract for the confinement of its inmates with any facility. The PREA policy addresses data storage, publication, and destruction requirements. Information is maintained locked within the offices of the Jail Administrator/PREA Coordinator or stored electronically on a secure drive that is password protected with limited access. Any hard copy information within the facility is maintained by the Jail Administrator or the PREA Compliance Manager in a locked file drawer. Data collected is retained for at least ten (10) years. The SCCC does not include any identifiable personal information within its report that would need to be redacted.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of PREA policy and the annual report with the aggregate data, and through an interview with the Jail Administrator/PREA Coordinator.

115.401	Frequency and scope of audits
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<p><b>Documents Reviewed:</b></p> <ol style="list-style-type: none"> <li>1. Pre-Audit Questionnaire</li> <li>2. The Stutsman County Correctional Center 2016 PREA Audit</li> <li>2. The Stutsman County Correctional Center 2019 PREA Audit</li> <li>3. The Stutsman County Correctional Center 2022 PREA Audit</li> <li>4. The SCCC website with previous audits posted</li> </ol> <p><b>Findings by Provision:</b></p> <p><b>115.401 (a) Each facility audited once every three years</b></p> <p><b>Compliance Determination:</b> This facility was initially audited on April 4 &amp; 5, 2016. The second audit was conducted on April 26 &amp; 27, 2019, The third audit was completed on April 13 and 14, 2019. The facility has consistently been audited every three years since April 2016.</p> <p><b>115.401 (b) At least one-third of each facility type is audited each year</b></p> <p><b>Compliance Determination:</b> This is the only facility operated by the Stutsman</p>

County Sheriff's Office.

**115.401 (h) Auditor access to and observation of all areas of facility**

**Compliance Determination:** The auditor had complete access and observed operations in every area of the facility. The auditor conducted a tour of the facility on the first day which included every area of the facility, including administrative areas, intake area, control desks, all housing areas, storage areas, food service areas, laundry, restroom and shower, and maintenance areas.

**115.401 (i) Auditor permitted to request and receive copies of any relevant documents including electronically stored information**

**Compliance Determination:** The auditor was permitted to request and receive copies of any relevant documents (including electronically stored information). The auditor requested many documents throughout the audit process. The administrators of the Stutsman County Correctional Center provided numerous copies of documents to include policies, inmate screenings, inmate training information, human resource documentation, forms, and investigative files.

**115.401 (m) Auditor permitted to conduct private interviews**

**Compliance Determination:** The auditor conducted private interviews with inmates and staff in an interview room that was provided for this purpose. The Stutsman County Correctional Center staff were very cooperative throughout the audit process.

**115.401 (n) Inmates permitted to send confidential information to auditor in same manner as if with legal counsel**

**Compliance Determination:** The inmates were permitted to send confidential information or correspondence to the auditor in the same manner as if they were communicating with legal counsel. The auditor did not receive any correspondence regarding this facility.

The auditor determined compliance through a review of the pre-audit questionnaire, a review of previous PREA Audits, a very thorough tour, and a review of numerous documents.

115.403	Audit contents and findings
	<b>Auditor Overall Determination:</b> Meets Standard
	<b>Auditor Discussion</b>
	<b>Documents Reviewed:</b> 1. Pre-Audit Questionnaire 2. SCCC website  <b>Findings by Provision:</b> <b>115.403 (f) All final audit reports published on agency's website</b>

**Compliance Determination:** This is the fourth audit for the Stutsman County Correctional Center. Their last PREA audit was conducted from April 13 & 14, 2022. Their first PREA audit was conducted on April 4 & 5, 2016. All previous audit reports are published on the SCCC website at <https://www.stutsmancounty.gov/departments/correctional-center/prea/>.

The auditor determined compliance through a review of the pre-audit questionnaire and a review of the SCCC website.

<b>Appendix: Provision Findings</b>		
<b>115.11 (a)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.11 (b)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	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
<b>115.11 (c)</b>	<b>Zero tolerance of sexual abuse and sexual harassment; PREA coordinator</b>	
	If this agency operates more than one facility, has each facility designated a PREA compliance manager? (N/A if agency operates only one facility.)	yes
	Does the PREA compliance manager have sufficient time and authority to coordinate the facility's efforts to comply with the PREA standards? (N/A if agency operates only one facility.)	yes
<b>115.12 (a)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	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
<b>115.12 (b)</b>	<b>Contracting with other entities for the confinement of inmates</b>	
	Does any new contract or contract renewal signed on or after August 20, 2012 provide for agency contract monitoring to ensure	na

	that the contractor is complying with the PREA standards? (N/A if the agency does not contract with private agencies or other entities for the confinement of inmates.)	
<b>115.13 (a)</b>	<b>Supervision and monitoring</b>	
	Does the facility have a documented staffing plan that provides for adequate levels of staffing and, where applicable, video monitoring, to protect inmates against sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Generally accepted detention and correctional practices?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any judicial findings of inadequacy?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from Federal investigative agencies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any findings of inadequacy from internal or external oversight bodies?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates may be isolated)?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The composition of the inmate population?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The number and placement of supervisory staff?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The institution programs occurring on a particular shift?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into	yes

	consideration: Any applicable State or local laws, regulations, or standards?	
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: The prevalence of substantiated and unsubstantiated incidents of sexual abuse?	yes
	In calculating adequate staffing levels and determining the need for video monitoring, does the staffing plan take into consideration: Any other relevant factors?	yes
<b>115.13 (b)</b>	<b>Supervision and monitoring</b>	
	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
<b>115.13 (c)</b>	<b>Supervision and monitoring</b>	
	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
<b>115.13 (d)</b>	<b>Supervision and monitoring</b>	
	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

<b>115.14 (a)</b>	<b>Youthful inmates</b>	
	Does the facility place all youthful inmates in housing units that separate them from sight, sound, and physical contact with any adult inmates through use of a shared dayroom or other common space, shower area, or sleeping quarters? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (b)</b>	<b>Youthful inmates</b>	
	In areas outside of housing units does the agency maintain sight and sound separation between youthful inmates and adult inmates? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	In areas outside of housing units does the agency provide direct staff supervision when youthful inmates and adult inmates have sight, sound, or physical contact? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.14 (c)</b>	<b>Youthful inmates</b>	
	Does the agency make its best efforts to avoid placing youthful inmates in isolation to comply with this provision? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Does the agency, while complying with this provision, allow youthful inmates daily large-muscle exercise and legally required special education services, except in exigent circumstances? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
	Do youthful inmates have access to other programs and work opportunities to the extent possible? (N/A if facility does not have youthful inmates (inmates <18 years old).)	na
<b>115.15 (a)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (b)</b>	<b>Limits to cross-gender viewing and searches</b>	
	Does the facility always refrain from conducting cross-gender pat-down searches of female inmates, except in exigent circumstances? (N/A if the facility does not have female inmates.)	yes
	Does the facility always refrain from restricting female inmates' access to regularly available programming or other out-of-cell opportunities in order to comply with this provision? (N/A if the	yes

	facility does not have female inmates.)	
<b>115.15 (c)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (d)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (e)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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
<b>115.15 (f)</b>	<b>Limits to cross-gender viewing and searches</b>	
	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

<b>115.16 (a)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.16 (b)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.16 (c)</b>	<b>Inmates with disabilities and inmates who are limited English proficient</b>	
	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
<b>115.17 (a)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997)?	yes
	Does the agency prohibit the hiring or promotion of anyone who may have contact with inmates who has been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse?	yes
	Does the agency prohibit the hiring or promotion of anyone who	yes

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

<b>115.17 (e)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (f)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.17 (g)</b>	<b>Hiring and promotion decisions</b>	
	Does the agency consider material omissions regarding such misconduct, or the provision of materially false information, grounds for termination?	yes
<b>115.17 (h)</b>	<b>Hiring and promotion decisions</b>	
	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
<b>115.18 (a)</b>	<b>Upgrades to facilities and technologies</b>	
	If the agency designed or acquired any new facility or planned any substantial expansion or modification of existing facilities, did the agency consider the effect of the design, acquisition, expansion, or modification upon the agency's ability to protect inmates from sexual abuse? (N/A if agency/facility has not acquired a new facility or made a substantial expansion to existing facilities since August 20, 2012, or since the last PREA audit, whichever is later.)	na
<b>115.18 (b)</b>	<b>Upgrades to facilities and technologies</b>	

	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
<b>115.21 (a)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (b)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (c)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (d)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	Does the agency attempt to make available to the victim a victim advocate from a rape crisis center?	yes
	If a rape crisis center is not available to provide victim advocate services, does the agency make available to provide these services a qualified staff member from a community-based organization, or a qualified agency staff member? (N/A if the agency always makes a victim advocate from a rape crisis center available to victims.)	na
	Has the agency documented its efforts to secure services from rape crisis centers?	yes
<b>115.21 (e)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (f)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	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
<b>115.21 (h)</b>	<b>Evidence protocol and forensic medical examinations</b>	
	If the agency uses a qualified agency staff member or a qualified community-based staff member for the purposes of this section, has the individual been screened for appropriateness to serve in this role and received education concerning sexual assault and forensic examination issues in general? (N/A if agency always makes a victim advocate from a rape crisis center available to victims.)	na
<b>115.22 (a)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	

	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
<b>115.22 (b)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	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
<b>115.22 (c)</b>	<b>Policies to ensure referrals of allegations for investigations</b>	
	If a separate entity is responsible for conducting criminal investigations, does the policy describe the responsibilities of both the agency and the investigating entity? (N/A if the agency/facility is responsible for criminal investigations. See 115.21(a).)	na
<b>115.31 (a)</b>	<b>Employee training</b>	
	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
<b>115.31 (b)</b>	<b>Employee training</b>	
	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
<b>115.31 (c)</b>	<b>Employee training</b>	
	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
<b>115.31 (d)</b>	<b>Employee training</b>	
	Does the agency document, through employee signature or electronic verification, that employees understand the training they have received?	yes
<b>115.32 (a)</b>	<b>Volunteer and contractor training</b>	

	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
<b>115.32 (b)</b>	<b>Volunteer and contractor training</b>	
	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
<b>115.32 (c)</b>	<b>Volunteer and contractor training</b>	
	Does the agency maintain documentation confirming that volunteers and contractors understand the training they have received?	yes
<b>115.33 (a)</b>	<b>Inmate education</b>	
	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
<b>115.33 (b)</b>	<b>Inmate education</b>	
	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
<b>115.33 (c)</b>	<b>Inmate education</b>	
	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
<b>115.33 (d)</b>	<b>Inmate education</b>	
	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
<b>115.33 (e)</b>	<b>Inmate education</b>	
	Does the agency maintain documentation of inmate participation in these education sessions?	yes
<b>115.33 (f)</b>	<b>Inmate education</b>	
	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
<b>115.34 (a)</b>	<b>Specialized training: Investigations</b>	
	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
<b>115.34 (b)</b>	<b>Specialized training: Investigations</b>	
	Does this specialized training include techniques for interviewing sexual abuse victims? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include proper use of Miranda and	yes

	Garrity warnings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	
	Does this specialized training include sexual abuse evidence collection in confinement settings? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
	Does this specialized training include the criteria and evidence required to substantiate a case for administrative action or prosecution referral? (N/A if the agency does not conduct any form of administrative or criminal sexual abuse investigations. See 115.21(a).)	yes
<b>115.34 (c)</b>	<b>Specialized training: Investigations</b>	
	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
<b>115.35 (a)</b>	<b>Specialized training: Medical and mental health care</b>	
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to detect and assess signs of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to preserve physical evidence of sexual abuse? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how to respond effectively and professionally to victims of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	yes
	Does the agency ensure that all full- and part-time medical and mental health care practitioners who work regularly in its facilities have been trained in how and to whom to report allegations or	yes

	suspicious of sexual abuse and sexual harassment? (N/A if the agency does not have any full- or part-time medical or mental health care practitioners who work regularly in its facilities.)	
<b>115.35 (b)</b>	<b>Specialized training: Medical and mental health care</b>	
	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
<b>115.35 (c)</b>	<b>Specialized training: Medical and mental health care</b>	
	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
<b>115.35 (d)</b>	<b>Specialized training: Medical and mental health care</b>	
	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
<b>115.41 (a)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (b)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Do intake screenings ordinarily take place within 72 hours of arrival at the facility?	yes
<b>115.41 (c)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Are all PREA screening assessments conducted using an objective	yes

	screening instrument?	
<b>115.41 (d)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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)	yes

	Whether the inmate is detained solely for civil immigration purposes?	
<b>115.41 (e)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (f)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (g)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (h)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	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
<b>115.41 (i)</b>	<b>Screening for risk of victimization and abusiveness</b>	
	Has the agency implemented appropriate controls on the dissemination within the facility of responses to questions asked pursuant to this standard in order to ensure that sensitive	yes

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

	present management or security problems?	
<b>115.42 (d)</b>	<b>Use of screening information</b>	
	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
<b>115.42 (e)</b>	<b>Use of screening information</b>	
	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
<b>115.42 (f)</b>	<b>Use of screening information</b>	
	Are transgender and intersex inmates given the opportunity to shower separately from other inmates?	yes
<b>115.42 (g)</b>	<b>Use of screening information</b>	
	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	yes

	solely for the placement of LGBT or I inmates pursuant to a consent degree, legal settlement, or legal judgement.)	
<b>115.43 (a)</b>	<b>Protective Custody</b>	
	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
<b>115.43 (b)</b>	<b>Protective Custody</b>	
	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
<b>115.43 (c)</b>	<b>Protective Custody</b>	

	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
<b>115.43 (d) Protective Custody</b>		
	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
<b>115.43 (e) Protective Custody</b>		
	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
<b>115.51 (a) Inmate reporting</b>		
	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
<b>115.51 (b) Inmate reporting</b>		
	Does the agency also provide at least one way for inmates to report sexual abuse or sexual harassment to a public or private entity or office that is not part of the agency?	yes
	Is that private entity or office able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to agency officials?	yes
	Does that private entity or office allow the inmate to remain	yes

	anonymous upon request?	
	Are inmates detained solely for civil immigration purposes provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security? (N/A if the facility never houses inmates detained solely for civil immigration purposes.)	yes
<b>115.51 (c)</b>	<b>Inmate reporting</b>	
	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
<b>115.51 (d)</b>	<b>Inmate reporting</b>	
	Does the agency provide a method for staff to privately report sexual abuse and sexual harassment of inmates?	yes
<b>115.52 (a)</b>	<b>Exhaustion of administrative remedies</b>	
	Is the agency exempt from this standard? NOTE: The agency is exempt ONLY if it does not have administrative procedures to address inmate grievances regarding sexual abuse. This does not mean the agency is exempt simply because an inmate does not have to or is not ordinarily expected to submit a grievance to report sexual abuse. This means that as a matter of explicit policy, the agency does not have an administrative remedies process to address sexual abuse.	no
<b>115.52 (b)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (c)</b>	<b>Exhaustion of administrative remedies</b>	
	Does the agency ensure that: An inmate who alleges sexual abuse may submit a grievance without submitting it to a staff member who is the subject of the complaint? (N/A if agency is exempt from	yes

	this standard.)	
	Does the agency ensure that: Such grievance is not referred to a staff member who is the subject of the complaint? (N/A if agency is exempt from this standard.)	yes
<b>115.52 (d)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (e)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.52 (f)</b>	<b>Exhaustion of administrative remedies</b>	

	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
<b>115.52 (g)</b>	<b>Exhaustion of administrative remedies</b>	
	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
<b>115.53 (a)</b>	<b>Inmate access to outside confidential support services</b>	
	Does the facility provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations?	yes
	Does the facility provide persons detained solely for civil immigration purposes mailing addresses and telephone numbers,	yes

	including toll-free hotline numbers where available of local, State, or national immigrant services agencies? (N/A if the facility never has persons detained solely for civil immigration purposes.)	
	Does the facility enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible?	yes
<b>115.53 (b)</b>	<b>Inmate access to outside confidential support services</b>	
	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
<b>115.53 (c)</b>	<b>Inmate access to outside confidential support services</b>	
	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
<b>115.54 (a)</b>	<b>Third-party reporting</b>	
	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
<b>115.61 (a)</b>	<b>Staff and agency reporting duties</b>	
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding an incident of sexual abuse or sexual harassment that occurred in a facility, whether or not it is part of the agency?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding retaliation against inmates or staff who reported an incident of sexual abuse or sexual harassment?	yes
	Does the agency require all staff to report immediately and according to agency policy any knowledge, suspicion, or information regarding any staff neglect or violation of responsibilities that may have contributed to an incident of sexual	yes

	abuse or sexual harassment or retaliation?	
<b>115.61 (b)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (c)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (d)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.61 (e)</b>	<b>Staff and agency reporting duties</b>	
	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
<b>115.62 (a)</b>	<b>Agency protection duties</b>	
	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
<b>115.63 (a)</b>	<b>Reporting to other confinement facilities</b>	
	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
<b>115.63 (b)</b>	<b>Reporting to other confinement facilities</b>	
	Is such notification provided as soon as possible, but no later than 72 hours after receiving the allegation?	yes

<b>115.63 (c)</b>	<b>Reporting to other confinement facilities</b>	
	Does the agency document that it has provided such notification?	yes
<b>115.63 (d)</b>	<b>Reporting to other confinement facilities</b>	
	Does the facility head or agency office that receives such notification ensure that the allegation is investigated in accordance with these standards?	yes
<b>115.64 (a)</b>	<b>Staff first responder duties</b>	
	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
<b>115.64 (b)</b>	<b>Staff first responder duties</b>	
	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
<b>115.65 (a)</b>	<b>Coordinated response</b>	
	Has the facility developed a written institutional plan to coordinate actions among staff first responders, medical and mental health practitioners, investigators, and facility leadership taken in	yes

	response to an incident of sexual abuse?	
<b>115.66 (a)</b>	<b>Preservation of ability to protect inmates from contact with abusers</b>	
	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
<b>115.67 (a)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.67 (b)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.67 (c)</b>	<b>Agency protection against retaliation</b>	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates or staff who reported the sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor the conduct and treatment of inmates who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by inmates or staff?	yes
	Except in instances where the agency determines that a report of	yes

	sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Act promptly to remedy any such retaliation?	
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor any inmate disciplinary reports?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate housing changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor inmate program changes?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor negative performance reviews of staff?	yes
	Except in instances where the agency determines that a report of sexual abuse is unfounded, for at least 90 days following a report of sexual abuse, does the agency: Monitor reassignments of staff?	yes
	Does the agency continue such monitoring beyond 90 days if the initial monitoring indicates a continuing need?	yes
<b>115.67 (d)</b>	<b>Agency protection against retaliation</b>	
	In the case of inmates, does such monitoring also include periodic status checks?	yes
<b>115.67 (e)</b>	<b>Agency protection against retaliation</b>	
	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
<b>115.68 (a)</b>	<b>Post-allegation protective custody</b>	
	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
<b>115.71 (a)</b>	<b>Criminal and administrative agency investigations</b>	
	When the agency conducts its own investigations into allegations	yes

	of sexual abuse and sexual harassment, does it do so promptly, thoroughly, and objectively? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	
	Does the agency conduct such investigations for all allegations, including third party and anonymous reports? (N/A if the agency/facility is not responsible for conducting any form of criminal OR administrative sexual abuse investigations. See 115.21(a).)	yes
<b>115.71 (b)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (c)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (d)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (e)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (f)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (g)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (h)</b>	<b>Criminal and administrative agency investigations</b>	
	Are all substantiated allegations of conduct that appears to be criminal referred for prosecution?	yes
<b>115.71 (i)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (j)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.71 (l)</b>	<b>Criminal and administrative agency investigations</b>	
	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
<b>115.72 (a)</b>	<b>Evidentiary standard for administrative investigations</b>	
	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
<b>115.73 (a)</b>	<b>Reporting to inmates</b>	
	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

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

	abused by another inmate, does the agency subsequently inform the alleged victim whenever: The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility?	
<b>115.73 (e)</b>	<b>Reporting to inmates</b>	
	Does the agency document all such notifications or attempted notifications?	yes
<b>115.76 (a)</b>	<b>Disciplinary sanctions for staff</b>	
	Are staff subject to disciplinary sanctions up to and including termination for violating agency sexual abuse or sexual harassment policies?	yes
<b>115.76 (b)</b>	<b>Disciplinary sanctions for staff</b>	
	Is termination the presumptive disciplinary sanction for staff who have engaged in sexual abuse?	yes
<b>115.76 (c)</b>	<b>Disciplinary sanctions for staff</b>	
	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
<b>115.76 (d)</b>	<b>Disciplinary sanctions for staff</b>	
	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
<b>115.77 (a)</b>	<b>Corrective action for contractors and volunteers</b>	
	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
<b>115.77 (b)</b>	<b>Corrective action for contractors and volunteers</b>	
	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
<b>115.78 (a)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (b)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (c)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (d)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (e)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.78 (f)</b>	<b>Disciplinary sanctions for inmates</b>	
	For the purpose of disciplinary action does a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred NOT constitute falsely reporting an incident or lying, even if an investigation does not establish	yes

	evidence sufficient to substantiate the allegation?	
<b>115.78 (g)</b>	<b>Disciplinary sanctions for inmates</b>	
	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
<b>115.81 (a)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (b)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (c)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (d)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	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
<b>115.81 (e)</b>	<b>Medical and mental health screenings; history of sexual abuse</b>	
	Do medical and mental health practitioners obtain informed consent from inmates before reporting information about prior	yes

	sexual victimization that did not occur in an institutional setting, unless the inmate is under the age of 18?	
<b>115.82 (a)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (b)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (c)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.82 (d)</b>	<b>Access to emergency medical and mental health services</b>	
	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
<b>115.83 (a)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (b)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (c)</b>	<b>Ongoing medical and mental health care for sexual abuse</b>	

	<b>victims and abusers</b>	
	Does the facility provide such victims with medical and mental health services consistent with the community level of care?	yes
<b>115.83 (d)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (e)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (f)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	Are inmate victims of sexual abuse while incarcerated offered tests for sexually transmitted infections as medically appropriate?	yes
<b>115.83 (g)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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
<b>115.83 (h)</b>	<b>Ongoing medical and mental health care for sexual abuse victims and abusers</b>	
	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

<b>115.86 (a)</b>	<b>Sexual abuse incident reviews</b>	
	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
<b>115.86 (b)</b>	<b>Sexual abuse incident reviews</b>	
	Does such review ordinarily occur within 30 days of the conclusion of the investigation?	yes
<b>115.86 (c)</b>	<b>Sexual abuse incident reviews</b>	
	Does the review team include upper-level management officials, with input from line supervisors, investigators, and medical or mental health practitioners?	yes
<b>115.86 (d)</b>	<b>Sexual abuse incident reviews</b>	
	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
<b>115.86 (e)</b>	<b>Sexual abuse incident reviews</b>	
	Does the facility implement the recommendations for improvement, or document its reasons for not doing so?	yes

<b>115.87 (a)</b>	<b>Data collection</b>	
	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
<b>115.87 (b)</b>	<b>Data collection</b>	
	Does the agency aggregate the incident-based sexual abuse data at least annually?	yes
<b>115.87 (c)</b>	<b>Data collection</b>	
	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
<b>115.87 (d)</b>	<b>Data collection</b>	
	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
<b>115.87 (e)</b>	<b>Data collection</b>	
	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
<b>115.87 (f)</b>	<b>Data collection</b>	
	Does the agency, upon request, provide all such data from the previous calendar year to the Department of Justice no later than June 30? (N/A if DOJ has not requested agency data.)	yes
<b>115.88 (a)</b>	<b>Data review for corrective action</b>	
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Identifying problem areas?	yes
	Does the agency review data collected and aggregated pursuant to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Taking corrective action on an ongoing basis?	yes
	Does the agency review data collected and aggregated pursuant	yes

	to § 115.87 in order to assess and improve the effectiveness of its sexual abuse prevention, detection, and response policies, practices, and training, including by: Preparing an annual report of its findings and corrective actions for each facility, as well as the agency as a whole?	
<b>115.88 (b)</b>	<b>Data review for corrective action</b>	
	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
<b>115.88 (c)</b>	<b>Data review for corrective action</b>	
	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
<b>115.88 (d)</b>	<b>Data review for corrective action</b>	
	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
<b>115.89 (a)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency ensure that data collected pursuant to § 115.87 are securely retained?	yes
<b>115.89 (b)</b>	<b>Data storage, publication, and destruction</b>	
	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
<b>115.89 (c)</b>	<b>Data storage, publication, and destruction</b>	
	Does the agency remove all personal identifiers before making aggregated sexual abuse data publicly available?	yes
<b>115.89 (d)</b>	<b>Data storage, publication, and destruction</b>	
	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
<b>115.401 (a)</b>	<b>Frequency and scope of audits</b>	

	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
<b>115.401 (b)</b>	<b>Frequency and scope of audits</b>	
	Is this the first year of the current audit cycle? (Note: a "no" response does not impact overall compliance with this standard.)	no
	If this is the second year of the current audit cycle, did the agency ensure that at least one-third of each facility type operated by the agency, or by a private organization on behalf of the agency, was audited during the first year of the current audit cycle? (N/A if this is not the second year of the current audit cycle.)	na
	If this is the third year of the current audit cycle, did the agency ensure that at least two-thirds of each facility type operated by the agency, or by a private organization on behalf of the agency, were audited during the first two years of the current audit cycle? (N/A if this is not the third year of the current audit cycle.)	yes
<b>115.401 (h)</b>	<b>Frequency and scope of audits</b>	
	Did the auditor have access to, and the ability to observe, all areas of the audited facility?	yes
<b>115.401 (i)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to request and receive copies of any relevant documents (including electronically stored information)?	yes
<b>115.401 (m)</b>	<b>Frequency and scope of audits</b>	
	Was the auditor permitted to conduct private interviews with inmates, residents, and detainees?	yes
<b>115.401 (n)</b>	<b>Frequency and scope of audits</b>	
	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
<b>115.403</b>	<b>Audit contents and findings</b>	

<b>(f)</b>		
	The agency has published on its agency website, if it has one, or has otherwise made publicly available, all Final Audit Reports. The review period is for prior audits completed during the past three years PRECEDING THIS AUDIT. The pendency of any agency appeal pursuant to 28 C.F.R. § 115.405 does not excuse noncompliance with this provision. (N/A if there have been no Final Audit Reports issued in the past three years, or, in the case of single facility agencies, there has never been a Final Audit Report issued.)	yes